The New REPUBLIC

A Journal of Opinion

VOLUME IV | New York, Saturday, August 21, 1915 | Number 42

Contents

Editorial Notes 55

Leading Editorials
- Majority Rule 58
- The Law and the Law Schools 60
- Necessary Lies 61
- Brewing Propaganda 62
- The Organic School 64

General Articles
- Classic Liberty ..... George Santayana 65
- Touraine in War Time ..... Robert Dell 66
- Home Rule for Cities ..... Henry Jones Ford 68
- Norway's Treatment of the Illegitimate Child ..... Katharine Anthony 70
- Music Patronage as an Art ..... Daniel Gregory Mason 71
- Clearing Streets of Freight ..... Frederick Drew Bond 73

Correspondence 74

Drama: Two Plays ..... Q. K. 76

Books and Things ..... P. L. 77

Reviews of Books
- Magazines and Democrats ..... George Soule 78
- Kant Through a Layman ..... Philonous 79
- The Living Chalice of Irishry ..... Louis J. McQuilland 80

GERMAN propaganda in America has been badly jolted through the publication by the New York *World* of incriminating letters between officials of the German government and American agents, representatives and friends of Germany. Just how much fire there is in this smoke cannot yet be determined, but there is a vast deal of smoke. Apparently German officials, well supplied with money and acting under instructions from Berlin, have been attempting to buy up public opinion in ways not unfamiliar to Americans, to arouse hostility to Great Britain, to corner the supply of certain war materials, to bribe labor leaders to call strikes in munition factories, and in general to carry the war into America. In these attempts to make American territory a base for hostile operations, scant regard has been paid to our laws, and doubtless indictments would lie against certain persons if the American government desired to press matters. What is strangest of all, however, is that some of the diplomatic representatives of Germany at Washington are at least indirectly involved in these disclosures. The East Indian prince who went to the football game at Oxford wondered why English gentlemen did not have their servants play these strenuous games for them. In the same way we wonder why government officials, for whom the whole German nation is responsible, do not have their necessary indiscretions committed for them by mere civilians.

AMERICAN newspapers have raised the cry of German "stupidity" and German "clumsiness," and it is in truth difficult to acquit these German propagandists of a certain left-handedness. Some of our expert publicity men must have laughed in their sleeves at the sight of German doctors of philosophy crossing the Atlantic to teach *us* how to corrupt newspapers. How inept is the attempt of German sympathy to masquerade as American neutrality! It is like Yankee Doodle translated into high German. But though the charge of stupidity and of international insensibility does lie against the Germans, though it is evident that they are far less capable of entering into the American point of view than the French, the Italians or the Japanese would be, their real offense is that they have been as hypocritical and brutal in their violation of our American laws as they were last August in their attack upon Belgium. What becomes of the old tradition of German candor when Germans lament over our exportations of arms while secretly buying the same arms? What shall we say of German-American editors who vaguely charge American newspapers with being bought by British gold, and themselves are in the pay of the German government? German representatives in this country advise the German government to cripple American industry by withholding needed dye-stuffs, and at the same time to shift the blame upon the British blockade. All through this correspondence we find the trace of those undistinguished German officials who deal with their own "reptile press." It is all done so crudely and awkwardly that we are likely to forget how corrupt and profoundly dishonoring these German machinations are.

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EVEN the Germans, obtuse as they are in international psychology, are beginning to see that they have completely misread the American mind. The *World* prints a report drawn up by some astute person who wishes to establish an international press bureau which will seem to be run by Americans, but will be really financed by Germany. This person, who seems to have some inkling of American sentiment, ventures to advise "in the interest of the German cause—aside from the fact whether my proposals will be carried out or not"—that certain subjects be avoided by the German propagandist. "The Belgian neutrality question as well as the question of the Belgian atrocities should not be mentioned any more in the future." Moreover, the German orators should not blame England solely for the war, since "a considerable English element exists in America, and the American people hold to the view that all parties, as usual, are partly guilty for the war." Do not wound American pride by claiming that Germany has the only real culture. Avoid purely scientific writing, as "dry reading annoys the American and is incomprehensible to him." Above all do not discuss the question of the sale of American ammunition, and do not always show your displeasure with American conduct. The advice is good except for one thing; it tells the German propagandist what not to say but does not tell him what to say. How can he ignore Belgian atrocities when the whole world is still thinking about them? And how is he to make any impression upon American public opinion unless he at least appears to be facing the issues? There is a common but fallacious belief in Germany that German diplomacy has failed because it has been too honest. It has really failed because it has not been honest enough, when honesty was the obviously best policy.

THE men who lynched Leo Frank will not be hanged. They carried out the wishes of too large and too powerful a section of Georgian opinion. To be sure they have been condemned in editorials. There have been loud assertions that Georgia is shocked. Many Georgians no doubt are shocked, humiliated to the core of their citizenship. But unless there is a dramatic change of heart in public sentiment, unless things are suddenly different in Georgia, the lynching party may be said to have carried out the secret wishes of what was at least a minority strong enough to overawe the rest of the state. For the lynching is not a surprise. It is not the isolated act of twenty-five nobodies. From the day he was arrested the lynching of Frank began. It was in the temper of the newspapers of Georgia; it was in the speech and private letters of thousands of her prominent citizens; it was in the mob that wrecked his trial; in the mob that terrified the judiciary; in the mob that compelled Governor Slaton to surround himself with troops before he could exercise his legal power; in the almost deliberate negligence that failed to supply sufficient guards at the prison; in the failure of the guards who were there to make even a show of resistance. It instigated the maniac Creen, who tried to cut Frank's throat in the night, and with public expressions of regret it sanctions the lynching. The regrets are expressed by the few who have some kind of national conscience, but the sanction comes from the savagery which is barely concealed by Georgia's pretences to civilization.

WE shall have to be charitable to Georgia, as we are to Haiti or the more primitive Balkan states. We shall have to recognize that here is a people suffering from slavery, from a false reconstruction, from too sudden contact with a higher civilization. It has self-government, though it is not yet fit for it. Only a small section of its people have risen to the normal civilization of the Western world. The rest are primitive, uneducated, burdened with a citizenship which is more than they are capable of. The state needs schools, it needs protection against itself, it needs the guidance of comparatively more advanced people. The true comment on the Frank case is to be kind and forbearing and helpful to Georgia. There may come a time when it will be ready to act as a self-respecting member of the American Union.

IT is not easy for Americans to form an accurate opinion of the various Mexican leaders. There has been a powerful group in this country which believed passionately in Diaz and wished later to support Huerta. But on the whole, disinterested opinion has been favorable to the revolution. There was much popular sympathy with Madero. When he was killed, Pancho Villa emerged as the hero of the revolution. Zapata was praised by the more radical socialists, and Carranza was under suspicion in liberal circles. The schism in the revolution found Carranza and Villa opposed. Carranza then became the idol of American radicals; Villa, curiously enough, was looked up to as a possible "strong man." The people who had supported Villa turned to Carranza; the socialist press, Mr. Lincoln Steffens and others, displayed Carranza as the hope of the revolution. We do not know whom to believe now. More and more we have come to feel that the fighting in Mexico has become aimless, that the only hope of reform of any kind is in the return from military to political and industrial action. If Carranza can bring that about, so much the better. His ability to do it unaided is the puzzling aspect

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of the whole question. He is an obstinate and persevering man, full of quirks and pompous affectation. He seems to be a genuine Mexican patriot, intensely narrow, and intensely suspicious of foreigners. The suspicion is founded on bitter experience of exploitation, which has made him so irritable, so difficult to deal with, so pretentious, that it is hard to know how not to offend him.

THE problem of the Pan-American conferees would seem to narrow itself to the question: Shall Carranza be supported or opposed? He is either the best hope of Mexico or her greatest liability. We cannot pretend to answer the question, for the answer depends on a knowledge of Carranza's purposes and resources which is not available now. There is no way of telling how strong is his real following. In the last few days some governors of states and some generals have declared themselves neutral between Carranza and Villa. This may mean the disintegration of Carranza's power, either through weariness of the fighting or through active intervention on the part of people interested in Mexico. The clearest fact to American opinion is that there is time enough to make the experiment which Mr. Wilson has begun. Diplomatic pressure and peaceful coercion should be given every kind of trial. As long as the war lasts and no longer, Mr. Wilson is free to try any plan which promises to restore Mexico without military action by the United States.

BIZARRE items of news currently appearing include the "San Diego idea," the purport of which is to kill all American males over sixteen in the territory between the Rio Grande and the Nueces. This region, thus liberated from the American yoke, would return to the ancient and legitimate dominion of Mexico. A preposterous project, but translate it into European terms. Texas south of the Nueces is a Mexico Irredenta. The Mexican element in the population is much larger than the Italian element in Istria or the Serbian element in Bosnia. The Mexican nationalist has no more forgiven us for the rape of this part of his country than the Serbians have forgiven Austria for the annexation of Bosnia. True, the Mexicans under our dominion are living in peace and ought to thank their stars that they are not forced to choose between Villa and Carranza. The Serbians in Bosnia, however, had equally good ground for congratulating themselves on their escape from the incredible horrors of the second Balkan war. Let us suppose, first that Irredentism in Texas is financed by a powerful organization in Mexico, including among its leaders cabinet members, senators, and generals; second, that some foreign power, say Japan, is quietly but not secretly encouraging the revolt against us; and third, that Vice-President Marshall, proceeding recklessly to deliver an address in Brownsville, is shot down by agents of the organization. What would we do about it—arbitrate?

SECRETARY LANSING'S note to the Austrian government in respect to the shipment of arms to the Allies is a frank and refreshing document. It reiterates with admirable lucidity the legal justification of the trade in war materials. It quotes German authorities to prove that an embargo declared by a neutral in the midst of war against a power which had relied upon foreign sources of supply, could be construed as at least an unfriendly act. But in justifying the refusal of the administration to consider the prohibition of the traffic, Mr. Lansing is not satisfied merely to assert its legality. He boldly approves the traffic in arms as a matter of desirable national policy from the point of view of the United States. He shows that its prohibition would encourage nations to indulge more than ever in the work of antecedent military preparations which, because of their extent and cost, would be dangerous to the peace of the world. Nations like the United States, which are barred by their institutions and ideals from making exhaustive preparations for war in advance are peculiarly dependent on foreign sources of supply. It would be suicidal on their part not to insist upon the legitimacy of the traffic in arms. Its legitimacy is based finally upon its desirability as an instrument which can be used by pacific nations to discourage aggressive and forehanded militarism. Full moral responsibility should be accepted by American public opinion for the traffic. It could be prohibited without illegality, but not without a culpable disregard of national and international interest.

GREAT BRITAIN undoubtedly intends to declare cotton absolute contraband. If it does make such a declaration it will have a much stronger legal excuse for interrupting the sale of American cotton to Germany than it has under the embargo, but admitting the increased strength of its legal position, the policy of the act remains very doubtful. If the embargo is justifiable, why place cotton on the list of contraband? The British government by virtue of the embargo has totally abolished, in the case of goods consigned to neutral ports which are in its opinion intended for Germany, the legal distinction between contraband and innocent goods. It claims the right to intercept all such goods simply because of their enemy destination. Furthermore, in the case of goods of German origin shipped through neutral ports to the outside world,

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it has set aside the Declaration of Paris. After all this, the listing of cotton as contraband in order to subject neutral shipments of the commodity to the test of enemy destination would be tantamount to admission by Great Britain that its previous effort to apply this test under the guise of the extension of the idea of blockade had been invalid. The invalidity would apply not only in the case of cotton, but of all non-contraband articles at present coming within the operation of the embargo—save, of course, where they are bound for blockaded ports of the enemy. Thus the question over which we first joined issue with Great Britain would once more come to the front—namely, that of our right to send provisions into Germany through neutral ports. For it is inconceivable that our government would acquiesce in the listing of provisions as absolute contraband. Finally, the question will arise whether Great Britain shall continue to pay for the seized cotton. Granting its contraband character, there would certainly be no legal compulsion upon her to do so. But only by paying can she expect to avoid the arousing of a strong moral revulsion among Southern Congressmen against the shipment of arms from this country. If cotton formed a bond between Great Britain and the South in 1861, its present possibilities, both as a subject of international negotiation and as a raw material, are decidedly explosive.

THE decision of the Interstate Commerce Commission reducing rates on coal will prove satisfactory to almost no one. It makes possible, no doubt, a price reduction of between ten and fifteen cents a ton to the consumer; but whether such reduction will actually be made is by no means certain, in view of the capacity of the various middleman agencies to take up any slack that may appear in the price structure. The railways lose a revenue estimated (by themselves) at about eight millions, distributed impartially between the roads that could afford to lose even more and the roads that cannot afford the least loss of revenue. Similarly unsatisfactory results follow practically every decision of the Commission—sufficient evidence that there is something wrong with the principles that the Commission is required by law to apply. Business demands that the rates levied on different competing routes be equal. Public policy demands that railway profits be adequate, but not excessive. But a rate level that gives one railroad fair profits may drive another into bankruptcy and burst the treasury of a third with surplus profits.

EVEN though the attempt to regulate profits through control of rates is doomed to failure, it does not follow that we ought to give up the policy of regulating profit, as the organs of the railway interests suggest. What does follow is that we ought to look about us for a more intelligent method of regulation. A part of the return on a railway property is differential, or privileged, in character. When a half dozen roads compete for the business between two important terminals, it may be taken for granted that, though charges for service must be the same, costs of service will be unequal. The road which is shortest, or has the more moderate gradients, will be certain to enjoy notable profits if the least favorably situated road secures sufficient income to cover cost. Such profits may be regarded as a privileged income due to the favored railway having received from the public the best right of way. If we believe that the private owners of railway securities ought not to enjoy privileged income, it is incumbent upon us to siphon this income out of the railway coffers through some such method as franchise taxation. It may be that we cannot do this under our existing constitution; in this case we could wisely let railway profits alone until the time when we shall be prepared to take the railways out of private hands altogether, and thus automatically secure the differential profits for the public. In the meantime the Commission would proceed more effectively with the work of developing harmony and elasticity in the rate structure if it could abandon its futile attempts to regulate profits through rates.

Majority Rule

THE work of the Constitutional Convention at Albany may be attended by a paradoxical and unexpected result. An assembly composed of emphatic conservatives may frame for the state a radical constitution, radical not merely in the sense of being untraditional, but in that of being positively and functionally democratic. An assembly whose controlling element disparages direct and exalts representative government, may submit to the electorate a form of representative government whose successful operation is bound to develop and encourage direct popular political action. An assembly made up of convinced Republican and Democratic partisans may propose a kind of government which for the first time in the history of democratic political institutions will not need the services of permanent partisan organizations. An assembly which believes above all that the purpose of the state is the protection of individual rights may help us to obtain a government which will be peculiarly qualified to formulate and carry out a social policy.

The aggressive and apparently the controlling element in the Convention is certainly far from

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being made up of thoroughgoing radicals. It consists of certain able Republicans, such as Elihu Root, Henry L. Stimson, and George Wickersham, who have uncompromisingly opposed the spirit and program of a consistent social democracy. They are afraid of it. Their criticisms of direct government and of woman's suffrage indicate that they regard democracy not as an adventurous though imperative experiment in cooperative political and social education, but as a precaution taken by a politically competent minority against the possible grievances of a comparatively incompetent majority. But these gentlemen are not anti-democratic dogmatists like Mr. William Barnes. They are experienced and public-spirited men of affairs. They have almost a passion for good administration, and they know how and why our state governments have so completely broken down. Their present purpose is predominantly practical. Like Hamilton three generations ago, they want to frame a government which will work—one whose powers will be commensurate with its duties, in which laws will be carefully drafted, fully discussed and efficiently administered, and which will infallibly fix responsibility both for failure and success.

In so doing they are building better than they know. They resemble at least in one respect the royalist assembly which gathered at Versailles after the war of 1870. That body proposed to restore the moral unity of the French people by re-constituting their traditional national monarchy. It discovered to its own profound discomfiture that France could not be united except as a republic; and appreciating as it did the necessity of unity, it became republican in spite of itself. The gentlemen at Albany are organizing a democracy in spite of themselves. They realize the utter disintegration from which American state governments are suffering. They have decided that the disintegration is the result of the traditional American suspicion of the concentration of political power in the hands of state officials, whether executive or legislative. They propose to give unity and validity to the government by making it powerful and competent. At first sight they apparently expect to accomplish a great deal as the result of a change in mechanism, but the new mechanism is the result in part of a new spirit. They have outgrown the feeling of apprehension in respect to the use of effective governmental instruments which has affected both the American legislative and the American democratic traditions. They will take the risk of granting to the government powers which are capable of being very much abused, because they are convinced of the necessity of substituting for the distracting effect of systematic suspicion a certain amount of mutual confidence and good faith. Back of the unity of organization which they are trying to infuse into the government is a new state of mind, which may lead to a much more fruitful moral and social unity.

Mr. Root and his associates are not, it is true, conscious of the democratic implications of their program. They want popular public opinion to consent to the creation of a new representative and administrative system which is revolutionary in the increase of confidence reposed both in elected and appointed officials. But at the same time they themselves do not express or betray any corresponding increase of confidence in popular political action. They advocate their plan of state reorganization almost exclusively on the ground of efficiency, and have so completely failed to bring out its deeper democratic implications that an opponent will be able to make their suspicion of democracy the excuse for a plausible attack on their work. But in respect to the meaning of the work itself the accusation will be utterly false. The proposed plan is profoundly democratic. It presupposes and demands confidence in popular political ability and good will no less than in the ability and good will of the selected popular representatives.

The proposed representative system differs from the traditional systems of representation in that it forges a rough but powerful instrument for the realization of the prevailing popular political purposes. The elevation of the governor into the official state political leader authorizes and organizes for the first time in the history of representative institutions government according to the express will of a majority of the voters. The governor does not represent the whole community, or any part of the community, which is supposed to be particularly reasonable or public-spirited. He represents a prevailing popular majority—sometimes only a prevailing popular plurality. Should the plan be adopted and developed in the direction outlined by Professor Charles A. Beard, in Part II of this number, a popular majority would be recognized and organized as an official governing agency. Its special representative would initiate public policy, direct public administration, and possess the power after full discussion—in the legislature, from the platform and through the press—of making its will finally effective.

In the past, so far from attempting officially to organize majority rule, one of the chief objects of republican lawgivers was that of curbing it. Hamiltonians did not want it, because they believed in an efficient, capable government controlled by an educated and well-to-do minority. Jeffersonians did not want it, because they feared that any capable government would escape from the control of the governed. Majority rule was put in irons by its enemies and emasculated by its friends. The chief

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executive, who, after adult male suffrage was introduced, was recognized by the Jacksonian Democrats as the particular popular representative, had theoretically no representative functions. He was the servant of the law. He could advise and censor legislative action, but that action originated in one of several kinds of minority representation. A majority was supposed to control the legislature, but it was a majority of the legislators whose purposes rarely coincided with that of any distinguishable majority of the voters. But even the majority of a legislature consisting of two houses usually elected for different terms and checked by executive and judicial vetoes, could not become an energetic, responsible, and self-confident organ of government. The Hamiltonians of to-day would still prefer a capable and responsible minority government rather than one responsive to a majority; but during the last hundred years democratic prepossessions had become too powerful. No reorganization of minority rule could give energy and responsibility to the political systems of the American local democracies. The only adequate tonic for these enervated political bodies was the invigoration of their own will to act, which was bound to take the form of effective and responsive majority rule.

The want of any official organization of majority rule has resulted in ingenious and persistent attempts to supply the vacancy by unofficial means. American patriots have been created and characterized particularly for the purpose of bringing into existence the effective majority association so indispensable to democratic government. The history of the American democracy is to a very considerable extent the history of these partisan experiments in majority rule. Behind the unrepresentative and incompetent official government there was erected a complete democratic representative system. This system soon began to claim all the prerogatives of an actual government. It demanded and received from its members the same kind of loyalty, the same subordination of interest and opinion to the common good, which is usually claimed only by king and country. Thus the two parties really became the government because they constituted the only effective organization of the electorate for the accomplishment of political purposes. But they formed an unofficial and irresponsible government which gradually ceased to be popular, and which made all movements pay tribute to the idols of Democracy and Republicanism and their priests.

A government which really represented a majority could dispense with the service of these pretended servants of the popular will. It would represent the people directly. No party organization and legislative assembly would mediate between the electorate and its official leader. He would have all the power necessary to run the state according to promises made by him to his constituents previous to his election. The majority would act through him, and because it acted in the name of the state through him, the behavior of the government would take on a new interest and a new meaning for public opinion. The concentration of power would reflect and be reflected in a corresponding concentration of public attention; and this very concentration of public attention would bring with it a most effective control over the concentration of power. Every action and every proposal of the government would be published and pitilessly tested. The majority would have obtained a leader, but not a master. It would not have delegated to the leader any of the responsibilities which must be retained by the electorate in any sincere and thoroughgoing democracy. The ultimate power of choosing between alternative policies and individuals; the right to be consulted not merely at stated intervals, but whenever new circumstances may have altered the reason for former decisions; the power of exercising ultimate control over its own political destiny—all these would be enjoyed by the electorate much more explicitly than has been the case hitherto. The conventional antagonism between direct and representative government would disappear. The representative system itself would be organized for the purpose not of avoiding the ill-effects of popular ignorance and unreason, but for the purpose of enabling a popular majority to will and to act, to watch the results of its own behavior, and to profit from lessons thereof.

The Law and the Law Schools

IN an address delivered this week before the National Bar Association at its annual meeting, Professor Felix Frankfurter, himself a teacher of law, has proposed a novel function for the law schools of the United States. In his opinion they should not confine themselves to transmitting to new generations of American lawyers the fund of accumulated legal practice and knowledge. The faculties of these schools should consciously assume a still more responsible and difficult task, that of readjusting the body of the law to the needs of a rapidly changing, complicated and ill-balanced modern industrial society. Of course Mr. Frankfurter recognizes and clearly states that the chief work of readjustment must be accomplished by the legislatures and the courts, but there is an essential aspect of the work which the legislatures and the courts, limited as they are to the passing of specific statutes and the handing down of specific decisions, are not qualified to accomplish. They cannot restate the law in its entirety. They cannot think over this accumulating and largely undigested mass of

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statutes, cases, precedents and rules for the purpose of distinguishing tendencies, analyzing purpose and organizing underlying principles. The work must be undertaken either by practicing lawyers or by professional teachers of the law. Mr. Frankfurter does not say so, but the conditions under which law is practiced in this country do not encourage disinterested thinking on the part of American lawyers. During the past twenty-five years the most fruitful thinking in American jurisprudence has as a matter of fact been accomplished by men like Thayer, Wigmore and Pound, all professional teachers of the law.

Although certain eminent teachers of law have already been doing the work which Mr. Frankfurter wishes the law faculties consistently to perform, this apparently innocent proposal has none the less a really subversive aspect. It is subversive because it assumes the body of American law to be a developing rather than a completed system, and because its development is supposed in part at least to be determined by formative thinking. These assumptions are valid, but both of them are still obliged, absurdly enough, to assume the bearing of conscious innovations. Twenty years ago the American legal system, particularly in its constitutional aspect, was generally held to be a finished product which it was the duty of the American lawyer, whether within or without the law schools, not to readjust to new conditions but to cherish and safeguard against ignorant and heretical attacks. Applications might change, but underlying principles were established. Think about these principles by all means if you will, but the only reasonable result of thinking about them would be the confirmation of their truth. Absurd as this attitude is, it still remains orthodox among the majority of American lawyers. They do not distinguish between relative permanence and absolute inviolability. They still believe that the chief public service imposed by the American system on the legal profession, and above all on the teachers of law, is the protection of an established system and the solemn repetition of respectable legal formulas.

The work which Mr. Frankfurter wishes to impose upon the faculties of American law-schools does imply a new state of mind, a different conception of the function of law in society, to a different conception of the practical value of applying ideas to life, and above all a different conception of the functions of a university in education. Universities, whether in their technical and scientific schools or in those devoted to the humane studies, have been traditionally supposed to be the great conservative force in the life of the community. They have been adapted primarily to the purpose of passing on a fund of knowledge and tradition from an expiring to a coming generation. They must always retain this function, but if they interpret it, as they frequently have done, as one of dictating, out of an accumulated fund of knowledge, the way in which the coming generation should think and behave, their influence will gradually cease. They owe as much to the present and the future as they do to the past. They should transmit to the coming generation not so much a fund of knowledge as the technical methods and the inquisitive spirit which enabled our predecessors to acquire that knowledge. A community vindicates a great tradition less by worshipping its forms than by imitating its achievements. That is what Mr. Frankfurter wishes the faculties of the law-schools to do in the present emergency. The labor of assimilating into the law modern social and economic facts, of restating the law in its entirety, is one that is never finished. It was brilliantly accomplished for their period by the first generation of American lawyers. It was stupidly neglected by the generation which is now departing. It will be resumed by the generation which is now coming to the front. They will transmit to their successors not merely the results of their work, but the faith, the intellectual energy and, let us hope, the social imagination with which it should and will be inspired.

Necessary Lies

LONG before this war started, M. Bergson was calling our attention to the war between machinery and freedom, between the automatism of matter and the *élan vital* of the spirit. It was a very lively struggle for him, even in that curious peace which seems so long ago, and M. Bergson dressed it up in lucid poetry, giving us a very inspiring mythology. Now the great war has come to add a climax for his story. German militarism, German mechanism, Prussian automatism—they are obviously the embodied devils of creative evolution.

In an address delivered last December, as president of the Académie des Sciences Morales et Politiques, M. Bergson describes the war in terms of his own metaphysics:

> ". . . this perhaps is how a philosopher will speak of it. He will say that the idea, peculiar to the nineteenth century, of employing science in the satisfaction of our material wants had given a wholly unforeseen extension to the mechanical arts, and had equipped man in less than fifty years with more tools than he had made during the thousands of years he had lived on the earth. Each new machine being for man a new organ—an artificial organ which merely prolongs the natural organs—his body became suddenly and prodigiously increased in size, without his soul being able at the same time to dilate to the dimensions of his new body. From this disproportion there issued the problem, moral,

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> social, international, which most of the nations endeavored to solve by filling up the soulless void in the body politic by creating more liberty, more fraternity, more justice than the world had ever seen. Now, while mankind labored at this task of spiritualization, inferior powers—I was going to say infernal powers—plotted an inverse experience for mankind. What would happen if the mechanical forces which science had brought to a state of readiness for the service of man, should themselves take possession of man in order to make his nature material as their own?"

Another French philosopher, M. Sorel, in his way a disciple of M. Bergson, has developed a theory of what he calls the "social myth." He says quite truly that complex action must be sustained by some unifying conception—some great battle picture of an immortal struggle. M. Sorel was thinking of the General Strike as a vivifying myth for labor. But myths are equally necessary to nations, and in the passage quoted above M. Bergson has stated the religious romance which now inspires the western Allies.

There is no need to point out that the spirit is not supreme in the English landed aristocracy, the English employing class, the French bureaucrats, or the Belgian Congo officials. Ireland, India, Morocco, Persia might tell a tale. M. Bergson, if pressed on the point, might say that there is nevertheless more of the spirit among the Allies than among the Germans. He would qualify his absolutes if the war spirit permitted so mugwumpish a proceeding. He would admit that the Germans weren't altogether Caliban and the Allies not altogether Ariel. He would confess that the war between what is known as Prussianism and what is described as liberty was not confined to the battle-line to-day. M. Bergson would not deny, we imagine, that the war was being fought in the souls of Frenchmen and Englishmen, and when he looked closely at some of his compatriots he would not be certain whether the spirit or matter had won the war.

No such humane confession can be expected while the invader is in France. The beneficent lie is just now what Vernon Lee has called a vital lie. Man cannot fight with a divided soul: he must unite his soul even at the sacrifice of truth. It is the task of philosophers in wartime to supply the myths which create that unity. There is only one difficulty. The enemy too needs myths, and makes them. Curiously enough the Germans are inspired by the same myth as the Allies. It might be stated thus as an analogy to M. Bergson's eloquence:

> ". . . this perhaps is how a German philosopher will speak of it. He will say that the idea, peculiar to German culture, of employing science in the satisfaction of our highest wants had given a completely foreseen extension to the mechanical arts and had equipped the Teutonic people in less than fifty years with more tools than the inferior races had invented in the thousands of years they had been blundering along on the earth. Each new machine being for Germans a new organ—an artificial organ which merely prolongs the natural organs—the German body became suddenly and prodigiously increased in size with a corresponding increase of the dimensions of the German soul. This soul found itself in a world grown lazy with riches, a world of successful, materialized, conventional immobility, a world of antiquated treaties; archaic laws, and rigid moral maxims which thwarted the *élan vital,* the creative evolution of the German soul. Now, while Germany labored at the task of revitalizing mankind, inferior powers—I was going to say Sir Edward Grey—plotted an inverse experience for mankind. . . ."

What shall neutrals say then? Shall they proclaim one myth as truth and denounce the other? It would seem better that they should try to understand all the myths and resolve to believe none of them, while they look about for remnants of truth and sanity with which to rebuild the world.

Brewing Propaganda

BREWERS who have cause to fear woman suffrage should be entitled to be heard against it, just as railroads, for their good and the good of the people who invest in them and use them, ought to put forward their best arguments for rate increases. No one in his senses can object to anti-suffrage propaganda. It is, if you will, the expression of honest misapprehension and wrong-headedness—or prejudice stated in scientific terms—or any of the things one calls one's opponent's case. Nor is there objection to economic interests which would be affected by a consummation of the propaganda, making their case clear. It is when the propaganda is not avowed, when it crops up unexpectedly and half hidden, to be traced with difficulty to its source, that it assumes a sinister aspect. When, under the guise of a series of educational articles, readers of rural newspapers are misinformed, and business motives put on the finery of morality and sentiment; when appeals bear the name of a respected organization which is in reality the tool of business; when the authority of that name is used to brace a brittle and dangerous contention—then it is that public opinion is being poisoned.

The methods of the Texas Business Men's Association furnish an excellent example of how public opinion is poisoned against woman suffrage. The chief function of this organization, according to testimony given at hearings in a suit brought by the state of Texas to dissolve it, was to direct and finance legislative and electoral campaigns and control publicity in behalf of contributing corporations. The State of Texas brought suit on the ground that the Texas Business Men's Association

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was working against the public welfare. Among the corporations which maintained its campaign chest were the San Antonio Brewing Company, and the Lone Star Brewing Company, of San Antonio, the Houston Ice and Brewing Company, the American Brewing Association of Houston, the Dallas Brewery of Dallas, and the Texas Brewing Company, of Fort Worth. Associated with these contributing companies were eighty or more others, among them the Gulf Refining Company, the Santa Fé Railroad, The American Express Company, Swift and Company, and the Southwestern States Portland Cement Company, the interests of all of which were served by the activities of the Texas Business Men's Association. All of them, but particularly the breweries, were implicated in a system of supplying free news matter to rural newspapers.

This took the form of plates sent out under the auspices of the National Farmers' Union, which later repudiated the connection. The name was then changed to the "Publicity Service of the Farmers' Educational and Cooperative Union." The prospectus of this news service announced that it was being conducted in behalf of the farmers of the nation; "its slogan is education and cooperation;" it would give Federal government statistics relating to agriculture and information about scientific agriculture and cooperative marketing methods. Professor T. N. Carver of Harvard, Mr. P. P. Claxton, Commissioner of Education, Mr. Homer D. Wade and others were to be among the contributing editors. Its purpose was to be a "forum for the discussion of public questions affecting industry, by able writers representing associations organized to promote industry." "An impassionate discussion of both sides of important questions confronting the farmers of this nation for solution will be solicited from the standpoint of the material welfare and prosperity of the country."

Rural editors might well be attracted by such a program. The economy of using plates of news matter, sent free, made it easier to lull suspicions as to the legitimacy of such matter. But it was soon discovered that the Farmers' Educational and Cooperative Union was sending out disguised advertising for public service corporations, and propaganda for railroad rate increases, and was serving the brewing interests with articles entitled "Why is Woman Restless?" and "Why Should Woman Vote?" In fairness to the American Press Association it should be recorded that they were offered this business and declined to handle it. It is necessary only to quote at random sentences from these articles to give an idea of the tone of them: "Is it not a sufficient political achievement for woman that future rulers nurse at her breast, laugh in her arms and kneel at her feet?" "God pity our country when the handshake of the politician is more gratifying to woman's heart than the patter of children's feet." "I follow the plow for a living," says Mr. W. D. Lewis, one of the simple, honest writers of these articles, "and my views may have in them the smell of the soil; my hair is turning white under the frost of many winters and perhaps I am a little old-fashioned, but I believe there is more moral influence in the dress of woman than in all the statute books of the land. As an agency for morality, I wouldn't give my good old mother's home-made gowns for all the suffragettes' constitutions and by-laws in the world. As a power for purifying society, I wouldn't give one prayer of my sainted mother for all the women's votes in Christendom."

Most of the articles published in this news service were signed by Peter Radford or W. D. Lewis, "National Lecturers of the Farmers' Union." Some of them were written by J. A. Arnold, an employee of the Texas Business Men's Association. In order to be able to use the name of the Farmers' Educational and Cooperative Union as sponsor for the news service, Peter Radford, then president of the Farmers' Union, was made head of a farm life commission established by the Texas Business Men's Association. His salary was to be $125 a month and expenses.

This, then, was the indirect method by which brewers sought to prejudice the opinion of farming communities from Massachusetts to Texas. Having gained control, through the Texas Business Men's Association, of the Farmers' Union news service, they used it to supply country newspapers with foul and misleading articles against suffrage—so much the more authoritative as they represented, supposedly, the organized farmers of the nation. The connection between the brewing interests and this underhand publicity was indubitable. A letter was introduced at the hearings in the suit instituted by the state of Texas to dissolve the Business Men's Association. It was written in 1911 by Adolphus Busch, who said he "did not object to giving $100,000 to help the fight in Texas and that the Anheuser-Busch Company would be fair." J. A. Arnold, the writer of the objectionable articles, was shown by correspondence of W. J. Althaus of the Anheuser-Busch Brewing Company to have been party to a conference behind closed doors. The breweries withdrew from the suit against the Texas Business Men's Association and asked to have the temporary injunction against their further contributing made permanent. The Business Men's Association is now defunct and a suit is in lingering progress against the Texas brewers' organization.

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The character of this anti-suffrage propaganda makes rejoinder unnecessary. But for its extent, it would deserve little more notice than any of the lies and feeble innuendo circulated before elections and during legislative campaigns. It may be useful, however, for suffragists to be able to point out the nature and the source of some of the opposition which they meet. Perhaps it will also give pause to some anti-suffragists to find allied with them brewers using their arguments and quoting Scripture.

The Organic School

THE Fairhope Summer School, which has just closed its season at Greenwich, Connecticut, has given to Northern people an opportunity to see at work Mrs. Marietta Johnson's widely known ideal of "organic education." Just as the Gary plan has shown how the city school may give a varied training to great masses of children with a freedom and flexibility never believed possible, so Mrs. Johnson has demonstrated how the small community, or even household, by using the natural environment and the natural needs as laboratory and workshop, may adjust the child to life far more accurately than any formal school. No school carries out more carefully Professor Dewey's dictum that the child can only be educated by concerning himself with what has meaning to him as a child, and not what is to have meaning to him later as an adult.

In the organic school, children grow up naturally and healthfully, playing out-of-doors, following their curiosities, learning as their life makes demands upon them. The teacher is there to answer their questions, to sharpen their wits, to name for them and analyze the flowers and soils and trees, to show how to plant vegetables and build little coops or houses. In their winter school at the single-tax colony of Fairhope, Alabama, on the shores of Mobile Bay, the children can be out in the open air almost every day. The land is a complete geological, botanical, and physical laboratory, and the household a natural classroom where they learn to live. The school grew, in fact, quite naturally out of the household, and the necessity for some sort of school in a community where there was none. Mrs. Johnson, with her teacher's genius, simply sharpened and arranged her intercourse with the children around her, and presently had a school which has become one of the most interesting in the country.

Its very informality is its charm and success. The hundred or more children are not classified in grades, but in "life-classes," which correspond roughly to those three periods in child life—the first seven years of growth, the years to adolescence, and early adolescence. The first class is really an outgrowth of the nursery. In the cool rooms of the Fairhope Summer School one comes upon little farmhouses and villages and doll-houses of building-blocks, which form the basis for getting acquainted with the village the children lived in. The next group is characterized by a tough practicality, a capacity for drill and persistence, and this "life-class" was found in the wood-working shop and garden. Literary studies are taken up very late by the third class, whose recitations are rather informal discussions in an outdoor cluster around the teacher. Only when a broad background of acquaintance with real things is obtained, practical powers of observation acquired, and an actual need felt for learning what books can tell, are the conventional school studies begun. In the organic school there is thus some chance left to the children for getting real meanings and not mere words and phrases which they may glibly repeat. Reading and writing are not taught by drill, but are picked up by the child from the teacher or the other children, in the Rousseauan fashion, whenever he finds that he is missing something very important and interesting in not having this skill.

Learning in this kind of school becomes as natural as eating. One learns when one is hungry to understand what is going on in the world. Such schools, it will be said, are all very well as an ideal, but where can teachers be found to direct them? Certainly many of Mrs. Johnson's children could teach others in the way they have learned themselves. The way to get teachers for this free organic education in the "schools of tomorrow" is clearly to teach more children in the same way.

The New
REPUBLIC
A Journal of Opinion

PUBLISHED WEEKLY AND COPYRIGHT, 1915 IN THE UNITED STATES OF AMERICA BY THE REPUBLIC PUBLISHING COMPANY, INC., 421 WEST TWENTY-FIRST STREET, NEW YORK, N. Y. HERBERT CROLY, PRESIDENT. ROBERT HALLOWELL, TREASURER.

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YEARLY SUBSCRIPTION, FIFTY-TWO ISSUES, FOUR DOLLARS IN ADVANCE. SINGLE COPIES TEN CENTS. CANADIAN SUBSCRIPTION FOUR DOLLARS AND FIFTY CENTS PER YEAR IN ADVANCE. FOREIGN SUBSCRIPTIONS FOR COUNTRIES IN THE POSTAL UNION, FIVE DOLLARS PER YEAR IN ADVANCE.

REMITTANCE TO BE MADE BY INTERNATIONAL POSTAL MONEY ORDER. ENTERED AS SECOND CLASS MATTER, NOVEMBER 6, 1914, AT THE POST OFFICE AT NEW YORK, N. Y., UNDER THE ACT OF MARCH 3, 1879.

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Classic Liberty

WHEN ancient peoples defended what they called their liberty, the word stood for a plain and urgent interest of theirs: that their cities should not be destroyed, their territory pillaged, and they themselves sold into slavery. For the Greeks in particular liberty meant even more than this. Perhaps the deepest assumption of classic philosophy is that nature and the gods on the one hand and man on the other, both have a fixed character; that there is consequently a necessary piety, a true philosophy, a standard happiness, a normal art. The Greeks believed, not without reason, that they had grasped these permanent principles better than other peoples. They had largely dispelled superstition, experimented in government, and turned life into a rational art. Therefore when they defended their liberty what they defended was not merely freedom to live. It was freedom to live well, to live as other nations did not, in the public experimental study of the world and of human nature. This liberty to discover and pursue a natural happiness, this liberty to grow wise and to live in friendship with the gods and with one another, was the liberty vindicated at Thermopylae by martyrdom and at Salamis by victory.

As Greek cities stood for liberty in the world, so philosophers stood for liberty in the Greek cities. In both cases it was the same kind of liberty, not freedom to wander at hazard or to let things slip, but on the contrary freedom to legislate more precisely, at least for oneself, and to discover and codify the means to true happiness. Many of these pioneers in wisdom were audacious radicals and recoiled from no paradox. Some condemned what was most Greek; mythology, athletics, even multiplicity and physical motion. In the heart of those thriving, loquacious, festive little ant-hills, they preached impassibility and abstraction, the unanswerable scepticism of silence. Others practised a musical and priestly refinement of life, filled with metaphysical mysteries, and formed secret societies, not without a tendency to political domination. The cynics railed at the conventions, making themselves as comfortable as possible in the rôle of beggars and mocking parasites. The conservatives themselves were radical, so intelligent were they, and Plato wrote the charter of the most extreme militarism and communism, for the sake of preserving the free state. It was the swan-song of liberty, a prescription to a diseased old man to become young again and try a second life of superhuman virtue. The old man preferred simply to die.

Many laughed then, as we may be tempted to do, at all those absolute physicians of the soul, each with his panacea. Yet beneath their quarrels the wranglers had a common faith. They all believed there was a single solid natural wisdom to be found, that reason could find it, and that mankind, sobered by reason, could put it in practice. Mankind has continued to run wild and like barbarians to place freedom in their very wildness, till we can hardly conceive the classic assumption of Greek philosophers and cities, that true liberty is bound up with an institution, a corporate scientific discipline, necessary to set free the perfect man, or the god, within us.

Upon the dissolution of paganism the Christian Church adopted the classic conception of liberty. Of course, the field in which the higher politics had to operate was now conceived differently, and there was a new experience of the sort of happiness appropriate and possible to man; but the assumption remained unchallenged that Providence, as well as the human soul, had a fixed discoverable scope, and that the business of education, law, and religion was to bring them to operate in harmony. The aim of life, salvation, was involved in the nature of the soul itself, and the means of salvation had been ascertained by a positive science which the Church was possessed of, partly revealed and partly experimental. Salvation was simply what, on a broad view, we should see to be health, and religion was nothing but a sort of universal hygiene.

The Church, therefore, little as it tolerated heretical liberty, the liberty of moral and intellectual dispersion, felt that it had come into the world to set men free, and constantly demanded liberty for itself, that it might fulfill this mission. It was divinely commissioned to teach, guide, and console all nations and all ages by the self-same means, and to promote at all costs what it conceived to be human perfection. There should be saints and as many saints as possible. The Church never admitted, any more than did any sect of ancient philosophers, that its teaching might represent only an eccentric view of the world, or that its guidance and consolations might be suitable only at one stage of human development. To waver in the pursuit of the orthodox ideal could only betray frivolity and want of self-knowledge. The truth of things and the happiness of each man could not lie elsewhere than where the Church, summing up all human experience and all divine revelation, had placed it once for all and for everybody. The liberty of the Church to fulfill its mission was accordingly hostile to any liberty of dispersion, to any radical consecutive independence, in the life of individuals or of nations.

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When it came to full fruition this orthodox freedom was far from gay; it was called sanctity. The freedom of pagan philosophers too had turned out to be rather a stiff and severe pose; but in the Christian dispensation this austerity of true happiness was less to be wondered at, since life on earth was reputed to be abnormal from the beginning, and infected with hereditary disease. The full beauty and joy of restored liberty could hardly become evident in this life. Nevertheless a certain beauty and joy did radiate visibly from the saints; and while we may well think their renunciations and penances misguided or excessive, it is certain that, like the Spartans and the philosophers, they got something for their pains. Their bodies and souls were transfigured, as none now found upon earth. If we admire without imitating them we shall perhaps have done their philosophy exact justice. Classic liberty was a sort of forced and artificial liberty, a poor perfection reserved for an ascetic aristocracy in whom heroism and refinement were touched with perversity and slowly starved themselves to death.

Since those days we have discovered how much larger the universe is, and we have lost our way in it. Any day it may come over us again that our modern liberty to drift in the dark is the most terrible negation of freedom. Nothing happens to us as we would. We want peace and make war. We need science and obey the will to believe, we love art and flounder among whimsicalities, we believe in general comfort and equality and we strain every nerve to become millionaires. After all, antiquity must have been right in thinking that reasonable self-direction must rest on having a determinate character and knowing what it is, and that only the truth about God and happiness, if we somehow found it, could make us free. But the truth is not to be found by guessing at it, as religious prophets and men of genius have done, and then damning everyone who does not agree. Human nature, for all its substantial fixity, is a living thing with many varieties and variations. All diversity of opinion is therefore not founded on ignorance; it may express a legitimate change of habit or interest. The classic and Christian synthesis from which we have broken loose was certainly premature, even if the only issue of our liberal experiments should be to lead us back to some such equilibrium. Let us hope at least that the new morality, when it comes, may be more broadly based than the old on knowledge of the world, not so absolute, not so meticulous, and not chanted so much in the monotone of an abstracted sage.

GEORGE SANTAYANA.

Touraine in Wartime

"YOU ought to get away from the war," said the doctor, "and not think about it all for at least a month; but as that isn't possible, get away from Paris."

A standing invitation from the master made it easy for me to take the advice, and a few days later the Tours express was carrying me through a familiar country that has seen nothing of the horrors of war. One or two khaki uniforms on the platform at Les Aubrais recalled it, and the fact that Orleans is once more occupied by the English, no doubt with the full approval of Jeanne D'arc. A more painful reminder was the passing of an ambulance train full of wounded. But for these signs the war might have been thousands of miles away. The valley of the Loire lay calm and peaceful in the afternoon sun, which whitened the grey walls of the Château of Chaumont and burnished the gilding of the chapel of St. Hubert at Amboise.

Not many miles beyond Orleans we passed through the station of a little *bourg* that I know well. A few summers ago—very few, although it seems now a memory of the distant past—I spent many pleasant hours in the garden of an old house there on the banks of the Loire. Of the two sons of the family to which the house belongs, the elder, a cavalry officer, was killed a year ago; the shock caused the death of his mother. The younger son has already been wounded, but returned to the front some months ago. It is a common story, so common as to be banal, but as we rushed through the pleasant Orléanais *bourg* bathed in summer sunshine, the serene indifference of nature threw into relief the tragedy of that shattered home, one among so many.

At Tours station, among the crowd waiting at the exit from the platforms, my host was at once conspicuous. Who could fail to pick out in any crowd that noble head, that mobile face lit up with a combination of intellect, irony and benevolence that always recalls Voltaire? He was not alone, and he introduced his companion as one of the few men in the neighborhood who had ideas of his own about the war: a local draper in a small way, as I have since learned, and a man of superior intelligence and fine perception. He has been at the front, but is now permanently *réformé,* as he ought to have been to begin with, for his health quite

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unfits him for active service. Perhaps, however, he might still be at the front, had he not incurred the natural disapproval of his superiors for being guilty of a military invention and of suggesting that it might even be tested.

We had a drive of barely three miles to the charming Louis XIV house, built on a southern slope, which has been the master's home for the last nine months, where a warm welcome from the châtelaine awaited me. Most forms of idleness are agreeable on occasion, but none can be more so than basking in the sun in an old Touraine garden. I do not know whether the mornings or the evenings are the more delicious in this country of my predilection. Yesterday evening a great gold-red full moon rose from behind the hill while the sunset still tinted the sky. This morning I woke at five o'clock and opened my shutters on the undulating Touraine landscape. Tours is hidden by a hill close to the house, but on the southwest there is a wide view across the valley of the Loire to low hills beyond; I could distinguish the roof of Ronsard's Priory of St. Côme, lit up by the morning sun.

The Garden of France appears to be as well cultivated as usual. It may be that an expert inspection would reveal deficiencies due to the lack of men, but they are not apparent to the casual observer. It has been a tough business to get through even the essential minimum of work; the hay-harvest has taken longer than usual, and in some cases the hay has suffered. The wheat, well advanced, showed a great contrast between Touraine and Picardy, where I saw recently wheat so backward that it seemed hardly likely to ripen at all. The vintage in Touraine will not be good this year, because the labor has been lacking to give the vines the attention that they need. Tours appears normal, except for the numbers of wounded and mutilated soldiers that one meets, for it is full of military hospitals and every available building has been requisitioned. All over France one meets at every turn young men, sometimes mere boys, who have lost arms or legs or are otherwise disabled for life. At Tours there is an institution for teaching a new trade to men whose injuries have made them incapable of continuing the trade they followed before the war; seventeen men who were together in a room of that institution the other day possessed among them forty arms and legs. On May first, according to a private official estimate which was certainly not exaggerated, there were already 460,000 French dead and about 700,000 permanently disabled. Those figures have now been heavily increased.

In the afternoon Tours looks quite gay; the café terraces are full, and there are plenty of officers in uniform about. Tours is always a garrison town, and since the war it has been full of soldiers, but the depots are now becoming rapidly empty. I asked our friend the draper what was the general opinion in regard to the war, and he said that most people simply repeated what they read in the papers. "They talk as if they believed everything that they see in print, even the official *communiqués*." What they really thought he did not know, for nearly everyone seemed afraid to say what he thought; his notion was that there was no public opinion, and that people merely repeated the orthodox formulae. There were great hopes of the recent offensive in the district of Arras, and there has naturally been a proportionate reaction. I have found people fairly willing to talk, perhaps because I am English, and those with whom I have spoken have for the most part not been optimistic, but one cannot generalize from a few cases. The peasants, as in other parts of France, are certainly sad and depressed; their conversation is almost entirely limited to the expression of a hope that the war will soon be over, and that above all there will not be another winter campaign.

The village carpenter is an intelligent man, young and active for his years, who has his own opinions. He is an ardent radical and anti-clerical, particularly the latter, for in the country districts the question of clericalism is still a burning one. In this he is not at all exceptional, for the Department of Indre-et-Loire is staunchly Republican, and this constituency returned a Socialist to the Chamber last year, although it is mainly agricultural. The village carpenter is cynical in regard to the "Union Sacré" and describes it as "une bonne blague"; he is not optimistic in regard to the war, and believes that "nobody will get anything out of it." The official *communiqués* have not his implicit confidence: "they tell us when we take half a trench or advance five hundred yards," he says, "but they don't tell us when the Germans do the same; the truth is that there has been no real change for the last nine months and my belief is that there never will be any." I leave the village carpenter to do the talking as a rule, for unlike most of the inhabitants he is loquacious, but I drew him out on the subject of his special antipathies. I remarked that the clergy had been very active during the war and seemed to be having everything their own way, especially in the army; didn't he think that the church would be much stronger after the war? "Don't you believe it," he replied, "we shall clear them out in a fortnight."

His confidence seemed to me excessive and I said so. I had seen whole regiments decorated almost to a man with pious medals or badges with anatomical emblems; besides, wouldn't the men be grateful to the sisters and the Catholic ladies who had shown them every kindness and attention? He was un-

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shaken; the fact that the soldiers accepted and wore various religious insignia was, he declared, of no importance. "In war," he said, "you don't think about principles; you think only about getting all you can to eat and drink and being as comfortable as possible in the circumstances; and if you can get an extra drink by wearing a badge of the Sacred Heart, of course you wear it." In his opinion the clergy and the nuns and the Catholic ladies would have had much more influence after the war if they had done all they could for the soldiers without pressing them to accept medals, or to go to confession or communion. "Then their goodness of heart would have been a credit to Catholicism; as it is, it is quite evident that the whole business is nothing but a sectarian propaganda, and the soldiers are quits with them by accepting their medals and all the rest of it."

The other day we visited a retired man of business. To my surprise he was no more optimist than the village carpenter, and his attitude in regard to the war was very different from that of the bulk of the Parisian *bourgeoisie,* for he was not at all of the *jusqu'au bout* mind. An engineer who happened to call was, on the other hand, convinced of the necessity of fighting to the last man, although not at all confident as to the result. The tendency to be dissatisfied with the Allies is perhaps more marked here than in Paris. People are too polite to do more than hint in a half-joking way that England has not quite come up to their expectations, but they evidently do not understand, in particular, why our troops occupy so small a proportion of the front. If it is possible to give some explanation of that fact without assisting the enemy, it should be done. As for certain other allies, dissatisfaction is much too mild a term for the general sentiment in their regard. In a café a few days ago a drawing was being circulated of the famous steam-roller, with the legend: "Go ahead—and look out behind."

ROBERT DELL.

St. Cyr-sur-Loire, July.

Home Rule for Cities

THE way in which the legislature has behaved to municipal corporations readily accounts for the strength of the demand for home rule. Numerous acts of rapacity and oppression committed against cities, particularly the city of New York, may be instanced. Such tendencies are general in this country, and some recognition of the need of restraint upon them is visible in most of our state constitutions. But the checks so far provided have been found to be so futile that there is now a strong disposition to exclude state legislatures from control over municipal government, and to give the people of every community the power to make and alter their local institutions of government. Schemes of this nature are being urged upon the Constitutional Convention, and there is a prevalent opinion that in these times the reform of greatest urgency is the emancipation of the city.

The evils complained of are not exaggerated. They are indeed greater than is supposed. Nevertheless municipal home rule, in the sense in which the term is usually employed, is a fallacy. There is much that is attractive in the notion of the rise of free cities in this country, with power to establish institutions adapted to their own needs, exempt from the intrusion of state politics; but it is only a dream, realization of which would be neither practicable nor desirable. To view the matter right-end foremost it should be considered that the city is a corporation deriving its powers from the state. The home rule proposal therefore involves the proposition that this particular species of corporation should be exempted from the ordinary authority of the state over the corporations it creates.

What logical basis is there for such a proposition? Certainly it will not be contended that the functions of the municipal corporation are of less public importance than those of other corporations. The home rule notion implies that, outside of the people who live there, it is nobody's business how the city conducts its affairs. To justify any such notion as that, it would have to be shown that the consequence of municipal action in respect of public order, sanitation, education, charities, fiscal administration, etc., stop at the municipal boundaries. It should also be considered that no limitation of state authority is known in any other civilized country. The legislative jurisdiction is just as complete in the case of the municipal corporation as in the case of any other corporation. But the exercise of this jurisdiction does not incommode the municipal corporation in its functions; on the contrary, it sustains and facilitates them. A similar accommodation between the sovereignty of the state and the functions of the municipality is the true goal of reform endeavor.

Some comparison may be made between the American city and cities elsewhere as regards legal situation. The peculiarity of the American city and the prime source of its woes is that, unlike the city in every other country and unlike every other species

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of corporation in this country, the municipal corporation has no organizing power of its own. The general principle of jurisprudence with respect to corporations is that the law vests the corporate authority in the board of directors and leaves the board free to make such use of the authority for administrative purposes as it sees fit. No attempt is made to prescribe what administrative departments the corporation shall have, or what shall be their respective rights and duties, or what officers and agents shall be employed, or what compensation they shall receive.

This complete organizing power which we freely bestow upon business corporations pertains also to the municipal corporation in other countries. In every civilized country in the world, except the United States, the municipal code is a general incorporation act under which the local community organizes with equal facility, whether it be a little hamlet or a great metropolis. The difference in their business needs is provided for by administrative arrangements, just as in the case of our own business corporations big or little, each creating such departments and employing such agents as in its own opinion its own needs require, and on such terms as it finds advantageous. This situation, which we find normal and natural in the case of ordinary business corporations, is occupied in principle by the municipal corporation outside of the United States; but in view of the great public importance of the functions of the municipal corporation, the state exercises a special administrative supervision analogous to that which exists in this country in the case of banks and insurance companies.

The requirements imposed by the state as regards municipal offices are incidental to the exercise of this administrative supervision. For instance, the English code requires that every municipal corporation shall engage the services of a town clerk and a treasurer, these two officials being charged with the duty of making reports to the central government. As an incident of the sanitary regulations made by the Public Health act of 1875 every municipal corporation is required to engage an engineer. These three administrative officials are the only ones required by English law, but even in their case the municipality makes its own terms of employment and fixes its own rate of compensation for their services. In actual practice there are many other municipal departments, but they are all created by municipal action in response to administrative needs, just as in the case of any ordinary business corporation. And the municipal corporation is just as free to dismiss its agents, with or without cause, as any other corporation. People have been so generally made to believe that a civil service system enforced by law is an essential condition of good government that it may be well to mention that nothing of the kind is associated with municipal government in any other country. Nowhere save in this country is opportunity extended for recourse of dismissed employees to the courts for damages and reinstatement.

It is the peculiarity of the American municipal corporation that instead of organizing its business through its own action, its departments are created and their rights and duties are prescribed by law. This circumstance has vast consequences. Thus charters necessarily become long, intricate and detailed statements of particulars, supplying endless occasion for conflict, discord and litigation. Matters that elsewhere are promptly settled by administrative regulation, with us involve questions of legal interpretation that can be settled only by the courts. Changes of organization that elsewhere could be made by municipal ordinance, with us require charter alterations that only the state legislature can make, and hence at every session it must be called upon to attend to city business.

It is a natural incident of such activity that the legislature should deem it proper to make the regulations about rates of pay and terms of employment which excite so much surprise on the part of foreign critics. They are accustomed to strict accounting for all municipal receipts and disbursements, with frequent government inspection and audit. But they would regard it as monstrous that the state should raid the city treasury by dictating what the community should pay its constables, its school-teachers, its firemen and other public servants. In all such matters the municipal corporation abroad is as free as any other corporation to make its own terms. It is the prostrate condition of the American city which more than anything else inspires the common saying in Europe that Americans talk more about liberty and have less of it than any other civilized people. But the immunity from interference and dictation enjoyed by the municipal corporation outside of the United States is entirely political and not at all legalistic. There is no constitutional limit to the authority of the state. All and much more that any American legislature can do is within the power of the legislature everywhere else. That no complaint is heard of a mischievous or oppressive use of the legislative power is due wholly to the way in which that power is organized and conditioned.

Thus, when the municipal problem is analyzed, it appears that a satisfactory solution involves reform of the legislature. Indeed every question of salutary reform in any branch of government is rooted in legislative reform. But to convert the legislature from an agency of particular interests into an organ of democratic control over the government will require very radical treatment, probably beyond that which public opinion is now ready

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to approve. Meanwhile the most feasible mode of relief for the city is to secure for it the power to make and alter its administrative arrangements and to control its own business, such as any ordinary corporation possesses. That is to say, to make home rule a just and practical demand it should be interpreted as administrative freedom.

HENRY JONES FORD.

Norway's Treatment of the Illegitimate Child

IT is peculiarly unfortunate that the problem of illegitimacy has been launched in England and despatched to America under the euphemistic caption of "war babies." By suggesting that the illegitimate children of soldier fathers should be more mercifully treated than other illegitimate children and that the whole problem is the sudden outgrowth of existing war conditions, the English agitation has confused the issue. In point of fact the rights of the illegitimate child have been actively urged in some of the continental countries for at least ten years before the war began, and the countries which are to-day doing the most for their illegitimate children are not engaged in war at all. These are the three neutral countries of Scandinavia: Norway, Sweden, and Denmark.

Though all the Scandinavian laws on this subject are extremely radical, the Norwegian law is farthest ahead. In the month of March just past, the Storthing passed what might be called the bill of rights of the illegitimate child. It was not an emergency law nor a concession to a crisis. First submitted in 1909, it was only adopted after public opinion had thoroughly digested its most radical features. It reads more like an ethical treatise than a legislative act, and a certain Socratic flavor is not lacking in the paragraphs which answer objections.

The author of the bill is the Norwegian Minister of Justice, Johan Castberg. As the threefold basis of his reform, Minister Castberg submits the principle that legitimate and illegitimate children have equal rights before the law; the principle that the rights and duties of both parents are the same; and the principle that society is entitled to know not only who is the mother but who is the father of every child born. The bill was endorsed by the organized woman's movement of Norway, by the workingwomen's movement, and by the working-class organizations in general.

Its first stipulation is that the child "whose parents have not married each other" has the right to the father's name. At present there is no legal regulation of the family name by the Norwegian law; the use of the father's name by the legitimate child rests on custom. The new law merely extends to the illegitimate child the same right, in vindication of the principle that he belongs to the father's family as well as to the mother's.

The child is further entitled to be supported by his parents in accordance with the financial circumstances of the one who is economically better placed. The law does not intend, for instance, that the same father shall bring up his legitimate child with a college education, and his illegitimate child with the scanty schooling which ends with working papers at fourteen years. But the mother, beyond the expenses of the confinement, is not allowed to receive any support from the father, and even this assistance is required in the interest of the child and not of the mother. Moreover, she also must contribute to the child's support.

The state and not the mother is the mediator between the child and the father. Hitherto the law required the mother to take the initiative in claiming support for the child. But under the new law it is conceivable that the illegitimate child may have great expectations in the way of support and inheritance. The mother, then, must not be given the right to connive at its disinheritance.

This brings us to the most radical feature of the Castberg bill. This is the most revolutionary change in the inheritance laws of Norway since 1854, when the admission of daughters to equal inheritance rights with sons marked the beginning of the woman movement. The proposal that illegitimate children should inherit was the feature which aroused most opposition; people said that it would increase immorality and undermine legal marriage. The present inheritance laws, replied Minister Castberg, directly help to increase immorality, inasmuch as they encourage a man to conceal from his wife and children the fact that he has an illegitimate child; that is, to neglect and deny his own offspring and lie to those who are nearest to him. And in reply to the objection that the law would undermine legal marriage, the Norwegian statesman writes bitingly:

"The Department does not see that the equalization of legitimate and illegitimate children with respect to the inheritance laws will lessen the general regard for marriage. The Department therefore considers it superfluous to discuss the question whether it would be just, out of respect for the marriage institution, to uphold a legal system which is directly unjust to illegitimate children. If the law really wished to protect the marriage institution, then it is inconsistent to give to the father the privilege of acknowledging the child and placing it thereby in the same position as his legitimate

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children. For then he may, at his own pleasure and by his own act, break down the state's protection of the marriage institution."

The inquiry takes place in this way. The man who is named by the mother under oath must appear before the investigating authority and either acknowledge that he is the father or prove that he is not. The mother is subject to a fine, imprisonment, and a suit for damages if she makes a false assignment of paternity. The man is not allowed to plead "exceptio plurium" in defense; that is to say, he is not permitted to escape responsibility by maintaining that the mother had sex intercourse with other men besides himself at the time of the impregnation. Unless he is able to show that he did *not* associate with the mother in such a way and at such a time that in the course of nature he might be the father—that is, that he did not have sex intercourse with the mother during a period extending from 302 to 180 days before the child's birth—he is required to contribute to the child's support. If more than one man answers to this definition, the law holds each of them responsible for a share of the child's support. In such cases, however, the child is not allowed to inherit. The Department of Justice believes that such cases need not be numerous. It is not so difficult from the legal point of view to establish paternity as the defenders of anonymous fatherhood like to say it is. Already in Norway, under the old law, forty per cent of the illegitimate children are receiving support from their fathers. And furthermore, in so far as the objection that it is difficult to prove paternity states a truth, it applies to children born within marriage as well as to those born outside.

The Norwegian law sets a high standard of justice for other countries. What has just been done for the comparatively small group of Norwegian outcasts—Norway has about 5,000 illegitimate births per year—is now being actively urged for the 200,000 born yearly in Germany. And the Bastardy acts of England, which have not been revised since 1873, are now being aired, let us hope, to good purpose. Whatever view one may hold of the parents' conduct in such cases, there is only one possible attitude toward the child.

KATHARINE ANTHONY.

Music Patronage as an Art

IT is a mistake to suppose, as the histories of music often seem to do, that the patronage system died out in the late eighteenth or early nineteenth century, within a generation or two after Mozart had been kicked downstairs by Archbishop Hieronymus' underling, and that Beethoven was the last of the great composers whose way was smoothed by men like Archduke Rudolph and Prince Lobkowitz. It is true that there are few individual patrons in the nineteenth century as conspicuous as Haydn's Prince Esterhazy in the eighteenth; but Schubert, as everyone knows, was kept alive (though not for very long) by his friends; Wagner let himself be financed largely by Liszt; and in our own days Frau von Meck, in her relations to Tschaïkowsky, has given the world a model of delicate serviceableness. To-day in America music needs intelligent, unselfish patronage as much as ever, perhaps more. What would happen if it were left entirely to the tender mercies of the people? The phonograph, the mechanical player, ragtime, and the Broadway "musical" comedy give the answer.

But patronage is as difficult as it is necessary; to be a good patron one must have not only money and an interest in music, but what is rarer, tact; imaginative perception of other points of view, complete freedom from the wish to be personally conspicuous, and a greater love for art than for artists. What Emerson said of charity is even truer of patronage, that it is not enough to "abandon your money" to people, that your heart must go with it—that is, your sympathetic understanding of their artistic aims. Otherwise, however you may try to gloss the matter, you are a dispenser of benefits, a king with a court, a patronizer rather than a patron. You are substituting a feudal relation of lord and vassal for the democratic one of the coöperation of equals variously endowed, for the realization of ends desired by all.

And of course, viewed from the other side, such a feudal relation is intolerable to any self-respecting artist. In spite of the highly personal and intimate nature of artistic expression, especially of musical expression, every true artist, interpretative or creative, makes a distinction between his art and himself. One is public, the other private. If you are interested in my art, he says, you are at liberty to help it, and I am indeed glad to have you do so, for I too am interested in it. But I can hardly allow you to help me as a private individual. Everyone understands and respects MacDowell's refusal of an annuity offered to allow him to compose an opera. He was not sure the opera would be good enough. On the other hand, had he written an opera which someone found so good as to be worth a handsome fee which would give him the leisure

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to write another, the sensible view would seem to be that he ought as a lover of art to have accepted it, gladly, freely, and with no false shame or inverted pride.

Friends of American music cite an example of generous and on the whole successful patronage afforded by the Litchfield County Choral Union, completing at Norfolk, Connecticut, on June third last, the seventeenth of its annual festivals. These festivals constitute what may well be called a unique feature in our musical life. Early each summer a chorus numbering over eight hundred, drawn from the neighboring country, supported by an orchestra of seventy players from New York, gathers in the music shed erected on their estate for this purpose by Mr. and Mrs. Carl Stoeckel, and listens for three evenings to choral and orchestral music. This Union, to quote the official program, "was founded in 1899 to honor the memory of Robbins Battell (the father of Mrs. Stoeckel), and with the object of presenting to the people of Litchfield County, choral and orchestral music in the highest forms. No tickets are sold to the annual concerts, admission being by invitations which are in the hands of the members of the chorus. No advertising of any nature is permitted in connection with the concerts, the sole object being to honor the composer and his work, under the most elevated conditions." Here is a carefully thought-out scheme, carried out each year at a rumored cost of something like fifty thousand dollars for the three-day festival. Naturally it propounds to the music-lover with unusual insistence the perennial question of what constitutes a wise economy in artistic patronage.

Assuming that musical progress depends on two mutually reacting forces, collective public taste and the individual efforts of composers, does so large a sum of money do all it can be made to do, first for the education of listeners, second for the development of composers? Even an answer that includes criticism need not interfere with cordial recognition of the admirable features of the undertaking. As regards the effect on the audience, for example, we may point out that they are enabled to hear in three days an amount of good music which many probably do not equal in the other three hundred and sixty-two of the year; that those who not only listen but sing in some one of the incorporated choruses of the Union profit by the active participation which in art is almost immeasurably more stimulating than the passive; and that all, in addition to their conscious reactions, are doubtless swayed by the unconscious influence of seeing music taken thus seriously by large masses of people, as something more than an amusement or a profession.

But after the admission of all this there still lurks in our minds an uneasy sense that somehow audiences ought, if possible, to be treated less paternally, to be coaxed into a more democratic attitude. They look too uncomfortably like inmates in a menagerie, being fed from the end of a stick; and moreover, the music is fed to them, in their famishing condition, in very large rations and with hardly time for swallowing, still less for digesting it. Would not the ideal régime in such a case seem to be small amounts of nourishment frequently repeated, rather than an orgy once a year, on a background of famine rations? The fact that the listeners have no choice as to what they shall hear, that they do not even pay for their seats, seems somehow undemocratic. Yet there are not wanting signs that a greater degree of coöperation might easily be artistically disastrous. An audience which obviously prefers a trill between a popular soprano and a flute to the slow movement of Schubert's unfinished Symphony is scarcely fit for independence. Perhaps it is a choice between paternalism and the musical-comedy-phonograph-victrola stage of cultivation.

In the matter of the composer, however—more important because the composer seems to be, after all, the prime mover who starts the endless give-and-take between his own activity and public receptivity out of which musical culture grows—the dubious elements in the scheme seem fewer, the admirable points more incontestable. Each composer, states the program of the festival, "receives a handsome honorarium for his work, which remains his property for such disposition as he may elect, after the first performance at Norfolk." This is exactly as it should be. The composer has to suffer no invasion of his privacy, but simply to sell a work that deserves to be public property. As he receives his money not before but after he completes his work, there is no element of charity in the transaction, and no harassing undefined obligation to torture his conscience. There is none of the subtle demoralization incident to charity, either; for inasmuch as he knows that he has to give a *quid pro quo* for his money, he cannot forget that efficiency is demanded of him quite as of anyone else who proposes to be paid for a service rendered. On the other hand, he has a chance to hear his work adequately performed, with sufficient rehearsal—an immense benefit to his future workmanship; he gets the stimulus and encouragement of a public hearing; and he earns a fee that will enable him to devote time to new compositions.

The only comment left would seem to be that the young and unknown composer who specially needs such help might be crowded out by older, more established men. He might. That depends of course on the way the matter is administered. To find obscure merit is no easy task; it requires pa-

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tience, independence, complete superiority to snobbery and conventional standards, and a catholic yet discriminating personal taste. Obviously few patrons will combine all these qualities in their own persons, and few will be sufficiently free from vanity to call in expert assistance. Thus we return to our original point—that music patronage is a delicate and exacting pursuit, and that the ideal patron must be quite as fine an artist in his way as the other artists it is his art to assist.

DANIEL GREGORY MASON.

Clearing Streets of Freight

FREIGHT and passenger movement in a great city preserve order in so far as each shipment and each person reaches the destination. But in other respects the modern city presents a chaos of truck, wagon and pedestrian movement. The vehicles are in constant course of entanglement and disentanglement, and the walkers are constantly barred in their progress by the vehicles. Complete abolition of this industrial maze is, of course, impossible, but the problem of doing away with the general congestion remains and must be solved if street movements in our cities in the chief thoroughfares are not to reach an unworkable sluggishness.

In general three main causes exist for this civic congestion. At present it costs as much to load a barrel into a car in New York and unload it in Chicago as it does to transport it the whole distance between the two cities. Various devices, such as moving platforms and mechanical carriers, have been proposed for this primary congestion, and on this, the simplest part of the congestion, it seems less needful to dwell.

The other two causes are far deeper seated. One is the congestion of the streets themselves—the long delays in loading and unloading trucks at the shippers' doors, the slow movement through the streets, the lines of wagons waiting to be unloaded at the freight stations, the loss in time and money which these accumulated delays involve. Underground freight subways have been tentatively tried in some localities, and freight transportation becomes much easier, in the same way that more elevated passenger cars make passenger transportation easier. This sort of system can hardly provide for more than the main lines of freight traffic. Besides this, to accommodate the movement of incoming and outgoing freight as well as of local traffic, freight yards in great cities have to be of immense size—a size which in many cities the previous upbuilding has made prohibitive. This brings up the third and most striking of the causes of city congestion.

The lack of adequate railroad terminals has been dwelt on repeatedly by Mr. James J. Hill. He calls attention to the fact that such lack will become more pressing with every growth in population, while on the other hand every such growth in population renders the acquisition of new lands for new terminals more and more costly. Our terminals he compares to the mouth of a funnel, and the inadequacy of car service he attributes not to the lack of cars, but to the lack of swift freight transportation due principally to the long delays in starting the freight on its journey. He states that the "average movement of a freight car is about twenty-four miles, or two hours, per day. Delays in loading and reloading by shippers are partly responsible, but much of the lost time is consumed in getting into, out of, or through, terminal points where there is not room to handle the cars. More cars intensify instead of reducing the trouble." And again, "Our worst troubles come not from insufficient rolling stock or lack of efficiency in handling it, but from congested terminals."

Of the causes bringing about city congestion it thus appears that one has to do with the loading and unloading of freight, a second with street congestion, and a third with the entrance and exit of freight to and from the city. In New York, St. Louis and Chicago the problem has already excited a certain amount of discussion. Seattle stands unique, in that she sought measures to grasp the trouble aforetime. The plans for the improvement of Seattle are very extensive and include the construction of a series of radical and circumferential streets, making the movement of truckage as free from physical obstacles as possible. The official plan says: "There should be a balance in a great port between land and water frontage that will give storage and warehousing space sufficient for the receiving and assembling of cargoes without congestion and resulting delays. Such facilities would be much increased in usefulness if located near large areas suitable for industrial development. In short, what is needed is a great harbor, freight and industrial terminal." More generally, the Seattle idea might be stated by saying that when it ceases to be possible to take the freight efficiently to the railways and steamships, the alternative is to take the steamships and railways to the freight.

Such an answer so totally inverts the whole matter that to those with minds intent on one way of doing things it seems a mere paradox. Yet a consideration of what has already been done along this line shows strongly that here is the true answer to the problem of civic congestion, as well as more than a hint for reshaping the general economic mode of city life.

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The Cupples station at St. Louis seems to have been the first to afford track connection with trunk lines so as to afford facilities for shipping and receiving freight for the tenants of the station who went into the coöperative scheme—wholesaler, manufacturer and jobber. The Cupples station is situated alongside the tracks of a terminal railway. Spurs and switches extend into each building. Freight for any one of the tenants is unloaded from the railway cars on to trucks. These are elevated by hydraulic power to the floor of the consignee. When freight is to be shipped it is handled by the employees of the station, paid by the firms collectively. Several millions a year are said to be saved to these firms.

The question of civic congestion is most important for New York. Here plans are at least under way for dredging the great salt marsh called Jamaica Bay in Long Island, and for the improvement of this area of forty-five square miles by means of a general water and rail transportation scheme that will give every lot and block intended for industrial purposes railway service, and, if not located adjacent to the waterfront, direct rail connection therewith. The gist of the matter is well summed up in the Seattle report: "The city offering the most conveniently arranged harbor terminals, and furnishing sites for industries and jobbers near well arranged water-and-rail transportation facilities, is the city whose business men will be able to underbid their competitors and win prosperity for themselves and their commonwealth." Boston, Baltimore, Los Angeles, Tacoma and Portland are among the cities which are recognizing the need of ready access from harbors to business centers, and are endeavoring to provide for the need.

An industrial center grouped around a terminal may be considered to present on a very large scale the situation which exists in a small town where railroad sidings run to the door of a plant. Necessarily in a great city there must be interlocking switches between the various roads to permit of cars being detached and run into one of these industrial centers, and if all rail passage is interrupted by water, there must also be arrangements to run cars from the railroad tracks on to floaters to take them to the rails at the terminal. Such a terminal in the freight world could be compared with the great union passenger stations of the railroads in some of the Western cities. It is a center to which all railroads would direct their shipments immediately, thereby obviating the immense difficulties, delays and expenses of truckage and delivery through congested city streets.

It should be added that no piers, however large, are likely to be able to hold every steamer which would bring goods to a large industrial terminal, were there not also connections with the railroad lines to draw off shipments not intended for the tenants. On the other hand, much raw and partly manufactured material intended for the tenants may arrive at other ports. This, of course, comes into such an industrial center by rail, like shipments from interior points. In the case of a city with many industrial centers, rail lines from each would radiate, connect and reconverge to all steamship lines in the local district as well as to the outgoing railroad tracks. But whether there be one such industrial center or many in any locality the idea is that in place of the constant crisscross of cartage which now impedes the day's work in the streets of a busy city, and instead of the terminal congestion caused by lack of large terminal yards, there shall be established the quick movement of outgoing and incoming freight, leaving the streets free for local passenger and delivery movement.

The segregation of such industrial centers from the rest of the city suggests the more or less complete severance of industrial life from residential life and retail trade. This is partially the case even now in many cities. Its full development in the great cities would be the novelty.

FREDERICK DREW BOND.

CORRESPONDENCE

Not a People's War

SIR: The short editorials on page 3 of your issue of August 7th lend themselves to certain rejoinders so obvious that I cannot resist sending them in.

In speaking of the "wage-slavery" of Europe, especially England, in war time, you say: "Rising prices nibble at the standard of life, and the whole public is quick to cry treason at any attempt on the part of the worker to secure a commensurate advance in wages." But the London *Nation,* certainly not a capitalistic authority, said on June 26th: "There is, we think, overwhelming evidence that large sections, probably a majority of the working-classes in the country, are in receipt of aggregate weekly earnings considerably larger than they ever had before, and more than sufficient to compensate for the large rise of food-prices."

The other assertion I would take up is harder to refer to by explicit quotation, as its substance is diffused over three paragraphs. The gist of it is that the war was brought on by a small minority, "including all who govern and command, and many who write and agitate," over the heads and behind the backs of the working classes, who bear the burden of it, and that it is essentially a ghastly, meaningless farce. But on page 11 of this same number, midway in the article by H. C., "The Meaning of It," occur these sentences: "The voluntary sacrifice by so many million men of the affections, associations and ambitions which make up the stuff of their personal lives,

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their voluntary acceptance of the certainty of suffering and the strong probability of death, imposes itself on the imagination and subdues the judgment. . . . So colossal a calamity . . . has already earned something of the royal prerogative. Before it can be conclusively condemned, before its repetition can be prevented and its results controlled, it must be better, very much better, understood."

Thus does THE NEW REPUBLIC impartially offer bane and antidote.

L. W. HOPKINSON.

Cornish, N. H.

[There is no conflict between the editorial paragraph and the article by H. C. As Mr. Frederic Scott Oliver says, this is a people's war surely enough, but it is equally certain that the people had no hand in bringing it about.—THE EDITORS.]

Other Times, Other Men

SIR: Apropos of the failure of the trustees of the University of Pennsylvania to reappoint Dr. Nearing, an inscription on a bronze tablet placed by the class of 1910 of the University of Wisconsin in the Students' Union will be of interest. The words were taken from the report of the Regents in 1894, when the economic orthodoxy of Professor Richard T. Ely was being inquired into. The inscription on the tablet reads as follows:

"Whatever may be the limitations which trammel enquiry elsewhere, we believe that the great State University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found."

R. E. T.

Philadelphia.

The System and the Ballot

SIR: In your editorial discussion on August 14th of the obstacles to the practical success of a party of ideas, there is one very important factor in the supremacy of the Democratic and Republican parties which you fail to mention. It is the fear, under our present system of voting, of throwing away one's vote. In any given election it is generally assumed that either the Republican or the Democratic candidate will be elected, and the only practical way to influence the election is to vote for one or the other of them. To vote for a Socialist, a Progressive, or a candidate of some group organized temporarily for that election, is as a rule to forego one's chance to use the vote with practical effect on the result. The situation would be very different under a preferential system of voting. Under such a system, however quixotic one may be in the use of his first choice, still if the unexpected does not happen and his candidate is not elected, his second choice is just as effective as if he had been orthodox throughout.

To be concrete, suppose Whitman, Glynn and Davenport to be the Republican, Democratic and Progressive candidates respectively for governor. Suppose a voter prefers Davenport to either of the others. Suppose, however, that he considers it of practical importance to have, say, Whitman defeated. Under the present system he must either lose all opportunity to make his vote count for this result, or else he must vote for Glynn. Similarly a voter who prefers Davenport but thinks Glynn's defeat important, must throw away his vote (as far as the practical effect on the election goes) or vote for Whitman. Under a preferential voting system each of these voters will vote for Davenport as first choice, and one will vote for Glynn, the other for Whitman as second. How many of those who voted for Whitman or Glynn in the last election would have voted for Davenport had they not been afraid of throwing their votes away can never be known? They need have had no such fear under a preferential system.

ROBERT L. HALE.

Westport, N. Y.

Only Believers Should Discuss Belief?

SIR: It is generally accepted that in order to speak or write with authority on any subject one must be qualified and competent to apprehend that subject, either through sympathetic appreciation and study or from natural aptitude. For instance, few would venture to discuss art without having some artistic feeling.

Yet there are certain subjects which attract the uninitiate, who show a violent desire to refute what to them seems a mistaken, or even cowardly recourse to an imagined refuge. Religion is the subject I have in mind. In former times religious sects used to persecute each other with very little knowledge of what it was that they were persecuting. Now it is more likely to be the unbelievers who are moved by such destructive desires. While this change is an advantage from the point of view of religion, in that tolerance and sympathy are taking the place of bigotry among believers, yet there is sadness in the matter too. It is sad that unbelievers should try to convert others to their unhappy convictions. Still, they are not going to succeed except among shallow, careless thinkers. If only such people were less numerous! It is very easy to be a careless thinker in these days of royal roads, when the movies are short cuts to the drama, magazines to reading, and so forth. We get lazy about using our minds, and forget how to follow thoughts through to their logical conclusions. It would become evident, if one did think, that unbelievers are scarcely qualified to judge the faiths to which they own no allegiance. Or, if it so happens that they did follow one faith and found it insufficient, it does not follow that they are qualified to condemn all faith.

It is not likely that one obeying almost any of the Christian sects should deny the claims of faith as compared to unbelief. "If any man will do His will, he will know of the doctrine." But when we are told by one who to all appearances practices no religion, that it takes less courage to accept religion than to have the "intellectual fortitude necessary to face oblivion," we must consider the question more seriously than is usual with us, or become the dupes of plausible but "destructive criticism." I am quoting Mr. Alfred Kuttner in THE NEW REPUBLIC for August 7th. If we follow this thought of his through, we find that greater than the fortitude of atheism is the fortitude of accepting responsibility for every action committed in the sight of an Almighty Judge. Again, if we are told that faith is a primitive attribute and will be outgrown with the progress of evolution which is to rid us of such dependency, why should we not question the logic of considering evolution morally progressive when devoid of a moral and spiritual control?

The things of the spirit are not reached by argument, they are only spiritually discerned, and are an impediment to all whose spiritual insight has been dulled through neglect and disuse. Those who have authority on matters of faith are those who believe. Not Omar Khayyam, but Mohammed; not Voltaire, but Christ can command our attention, love, and respect.

JULIA REMINGTON WARD.

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Two Plays

The Boomerang, a new comedy in three acts, by Winchell Smith and Victor Mapes. First presented at the Belasco Theatre, New York, August 10, 1915.

WHAT a relief to come upon a play that is obviously and unmistakably certain to be popular, and to find yourself liking the popular thing! How soothing to realize that you too, for all your height of brow, have the same tasks as the average spectator! How reassuring to look about you at the Belasco and to realize that in the presence of such a play as "The Boomerang" every spectator is the average! After all, your fears were liars when they told you you were unrelated to the great public. You are like everybody else. And the average spectator, instead of being the monster we've all read of and never seen, a monster whose pedigree is by Matinee Girl out of Tired Business Man, is ever so much like you and me.

Don't let the newspapers keep you away from "The Boomerang" by telling you it is a comedy. The newspapers are trying to put one over on you, and they will have their joke. The subject, I admit, might be the subject of a comedy, and often has been. Budd Woodbridge is in love and jealous. He does not sleep well. He has lost ten pounds in two or three months. His mother has no idea what is the matter with him. Neither has the family doctor. She drags him to the brand new office of Dr. Gerald Sumner, who has been two weeks in practice, after about ten years of study in England and Scotland and on the Continent, and whose first patient is Budd. It doesn't take Dr. Sumner long to diagnose Budd's malady—he loves Grace Tyler, abjectly and over-explicitly, lowering his value in her eyes by being always the same sure thing. It doesn't take Dr. Sumner long to discover that the other man, whose company Grace seems to like better than Budd's, is De Witt Preston. Accident suggests to Dr. Sumner the proper treatment. He has that very afternoon engaged Virginia Xelva, a charming half-Swiss half-American, whose relatives are mostly extinct or mislaid, to help him in his office. But Virginia's real ambition, as it happens, is to become a trained nurse. Sr. Dr. Sumner sentences Budd to a month's hard exercise and solitude, and installs Virginia as his nurse in his mother's house.

So much for the first act. When the second act begins Budd and Virginia, in nurse's costume, are playing cards, while his mother sits near them and looks on happily. Budd is plainly a changed man. But the change doesn't imply quite what you mistakenly suspect. What it does imply I don't mean to tell, and shall merely say that the turn the story takes would have left the authors free, had they begun writing a comedy, to go on writing one. What they have chosen to write is something more accessible than comedy, and about a hundred times more emphatic. If Mr. Smith and Mr. Mapes had any particular sort of spectator in mind, as the person they intended to please, I imagine they imagined a good-natured, slow-witted man or woman, with a liking for pleasant commonplace love scenes and for scenes in which the absurd effects of jealousy can be seen with the naked eye a mile off. This ideal spectator had also a liking for "peaches" in smart clothes, and had, above all, a passion for having everything made plain and plainer and plainest.

Whether Mr. Smith and Mr. Mapes were consciously wooing this lover of emphasis and iteration, they have surely won him and her. There is no background or middle distance in "The Boomerang." It is all foreground. Nothing is further from the spectator than any other thing. Everything is put near him, straight in front of him, and kept there until he cannot help seeing it. All the many points so skillfully made are made so that the blind can see. Excepting those only which are made so that the deaf can hear.

Now I often dislike plays written in this emphatic key. I often resent being told again and again something which by the grace of God I understood the first time. Why don't I resent the emphatic technical method of "The Boomerang"? Partly because, although the authors do persist in clarifying what is already clear enough, they are good inventors of amusing bits of business. The more their play is the same thing the more are the details different. They know that what the eye sees, in a play of this kind, is no end more important than what the ear hears, and they keep the eye well fed. And part of my unresentfulness is due, I dare say, to the pace at which they whisk me through their iterations and reiterations, and to the very obvious high spirits and zest with which they put their play together.

The acting is mostly in exactly the same key with the dramaturgy. In the case of Mr. Arthur Byron, who plays Dr. Sumner, the acting and the writing are one. A feeling doesn't ripple across Mr. Byron's face like a breeze across a wheat field. The feeling marches out upon his face, salutes, takes possession, and fires a farewell gun when it is ready to go. Miss Martha Hedman, as Virginia Xelva, is by contrast as quiet as a picture. As for Mr. Wallace Eddinger, he has a part which enables him to act with more variety than I had thought him capable of. He leads one to suspect that he will do all sorts of things as well as he has hitherto done chiefly one thing.

Under Fire, a play of yesterday, to-day and to-morrow, in three acts, by Roy Cooper Megrue. First presented at the Hudson Theatre, New York, August 12, 1915.

ALTHOUGH it was Herr von Bethmann-Hollweg who first set the phrase "a scrap of paper" on its legs, and shoved it toward immortality, he didn't invent this subtitle for the word "treaty." The real inventor was a recreant Russian, doing business as a German spy in England, Belgium and France. This villain, finding himself in the "living-room in the home of Sir George Wagstaff," of the Admiralty, several days before Belgium was invaded, told Miss Ethel Willoughby that a treaty was a scrap of paper. Evidence in support of this statement may be found at the Hudson, in the first act of "Under Fire," Mr. Megrue's melodrama. I think it must have been a few little anachronisms like this that led Mr. Megrue to call his play a play of to-morrow. After all, he must have had some reason.

Why a play of yesterday? The answer is easier. No concocter of melodrama, since the date when melodrama came of age, has quite succeeded in hiding the strong task of yesterday. Mr. Megrue hasn't tried. Perhaps he hoped his fleeing Belgians would seem so new that people wouldn't notice the oldness of his staple melodramatic ingredients. He may be right, though in my case this hope doesn't come true. The contrast between new labels and old other things bothers me all through his play. Besides, I had rather not see a play about this war unless something—its horrors, its courage, its ideal ends, the small human traits by which we can relate it, after a fashion, to our own stay-at-home experience—has moved the playwright. "Under Fire'" sounds as if Mr. Megrue hadn't been much moved.

Q. K.

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Books and Things

A FEW weeks ago, while reading Mr. Mackail's introduction to "The Pervigilium Veneris," which he translated for the Loeb Classical Library, I came upon these lines, describing what happens to a poet when his poem begins to form itself:

> The fairy fancies range,
> And, lightly stirred,
> Ring little bells of change
> From word to word.

The quotation did not seem quite unfamiliar, yet I could not remember its source. Tennyson? It didn't sound like Tennyson, either to me or to the four or five persons I consulted. Each of us had what he thought a good reason for being almost certain the lines were not Tennyson's. I hunted without success through a one-volume Tennyson, containing all of him except his very latest work. When I got back to New York, where books are, I remembered why I thought the lines were Tennyson's, looked in Mr. Mackail's Latin Literature, found they were from a Tennyson spring poem. The rest of the way was not difficult. Short lines, spring—these signs led before long to "Early Spring," in the volume called "Tiresias and Other Poems." The poem has eight stanzas, of which these are the sixth and seventh:

> Past, Future glimpse and fade
> Thro' some slight spell,
> A gleam from yonder vale,
> Some far blue fell,
> And sympathies, now frail,
> In sound and smell!
>
> Till at thy chuckled note,
> Thou twinkling bird,
> The fairy fancies range,
> And, lightly stirred,
> Ring little bells of change
> From word to word.

Why did three or four persons, who had read a good deal of Tennyson when they were young, and all of whom were forty or more, feel certain that the lines quoted by Mr. Mackail didn't sound like Tennyson? Because for most of them, as for many other persons of their generation, Tennyson had faded to a voluntarily and smoothly noble poet whose moral world they detested. While hunting for "the fairy fancies" I naturally read a little here and a little there, and so refreshed my antipathy to Tennyson as a critic of life. No doubt many persons, at a first reading of the "Idylls of the King," thought Arthur's reply to Guinevere, at their final meeting, was the real thing:

> "And all is past, the sin is sinn'd, and I
> Lo! I forgive thee, as Eternal God
> Forgives."

To-day one merely feels that a man who talked like that deserved all he got, and a bit more. And to-day, on rereading "Enoch Arden," one cannot help recalling Walter Bagehot's summary of the story: "A sailor who sells fish breaks his leg, gets dismal, gives up selling fish, goes to sea, is wrecked on a desert island, stays there some years, on his return finds his wife married to a miller, speaks to a landlady on the subject, and dies." I suppose ten intelligent persons reread Tennyson's description of Enoch's island, with its many-colored tropical splendors, for one who rereads the whole poem for its story. Only a malicious person cares to read the closing lines:

> So past the strong heroic soul away.
> And when they buried him the little port
> Had seldom seen a costlier funeral.

Some of Tennyson's most wonderful pictures, especially sea-pictures, are framed in his blank verse. But he is no such master of blank verse as Shelley. And although Tennyson's blank verse is his own, it is also Calverley's in the parody:

> Thus on he prattled like a babbling brook.
> Then I, "The sun hath slipt behind the hill,
> And my Aunt Vivian dines at half past six."
> So in all love we parted; I to the Hall,
> They to the village. It was nois'd next noon
> That chickens had been miss'd at Syllabub Farm.

Still, I don't see why more of my contemporaries cannot read Tennyson with pleasure, in spite of his unsalted pictures of moral perfection, his grave domestic answers to unanswerable moral questions, the complacency of his willingness to "forfeit the beast with which we are crossed," the many lines that might have been written by a gifted and meditative curate. While reading you must accept or forget the fact that Tennyson's moral world is a very orderly garden, that the poet himself is a thoroughly domesticated animal. You must read Tennyson for the beauty of the parts, overlooking the moral poverty of the whole, thankful that the parts are so often whole poems. And it is worth while to remember that Tennyson is filled with things that don't sound like the unreal Tennyson your memory has erected in his dishonor. True, he did model a King Arthur out of blancmange, but he also called the body "this little city of sewers." And it is fair to ask, when Tennyson's Arthur seems more than you can bear, what Tennyson's Ulysses would have thought of Arthur.

Even if Tennyson was a tame animal in the moral world, he was also a dead shot at wild nature. He looked at wild or cultivated nature, saw it exactly, sketched it in words, turned his sketches into quintessential pictures:

> One show'd an iron coast and angry waves.
> You seem'd to hear them climb and call
> And roar rock-thwarted under bellowing caves,
> Beneath the windy wall.
>
> And one, a full-fed river winding slow
> By herds upon an endless plain,
> The ragged rims of thunder brooding low,
> With shadow-streaks of rain.

Among English poets Milton is the only greater master of consonants, of the l, m, n, r out of which English verse can be built so as to sound a little of imperial Rome. At the moment when Tennyson's eye saw nature his ear heard verse, and later, when he had retouched the verse into that curious felicity he loved so well, when he had distilled and elaborated it into a rich and learned magic, the picture his eye had seen was still there, unspoiled by this elaborate selective process, exacter than ever. As a nature poet he spoke the language science would use if she had a Latin ear and could sing.

P. L.

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Magazines and Democrats

IF anyone is in doubt as to what kind of fiction he should write for *Snappy Stories,* he may find the answer in a recent number of the *Bulletin* of The Authors' League of America, under the heading "The Magazine Market." *Snappy Stories* prefers fiction which is "risqué or erotic, without being vulgar or disgusting, occasionally the horrific. Unhappy ending is not a bar if story is striking." Just how risqué or erotic one can be without being vulgar is a question not discussed; one might be saved, indeed, by a timely intrusion of the horrific, or perhaps by an unhappy but striking ending. Another magazine, evidently not so snappy, is entitled *Romance,* and wants "lively love stories, full of action. Happy ending preferred. Nothing risqué or revolting." A third publication commendably asks for "stories of action with characters who are people, not mere names." Then it goes on to exclude "sex, psychology, problems, justification of crime, and the supernatural." One tries to think of respectable authors who might have contributed to it. Not Dickens, Meredith, Maupassant, Hawthorne, Turgenev, Dostoevsky, Kipling or any similar job-lot. What does a person who is not a mere name do without sex, psychology, problems or crime, unless indeed he be supernatural? "Swift-moving stories of an up-to-date character" are what the *Argosy* wants. That is businesslike and definite. We know that kind. *McBride's* warns that "plot and action should always be plausible," and that "the love element is highly desirable." One would think, except for the last, that the editor had been reading Aristotle. *People's Magazine* demands that its fiction "be highly melodramatic and have a big 'kick.'" Readers who used to be treated as punching-bags have now, evidently, become footballs. *Top Notch Magazine* concisely requests "bright fiction written by people who know their business." But the soul of brevity is attained by *Breezy Stories,* which defines as character of fiction preferred: "Decidedly breezy."

Mr. Henry Seidel Canby must have seen this list before he wrote his recent article for the *Atlantic Monthly* on "Free Fiction." The poverty of our popular magazine fiction is due, says Mr. Canby, to the fact that the editors have rationalized into formulæ their conception of public demand. These formulæ, dogmatically applied, are just as destructive of authentic inspiration in the writer as the most barren of academic rules. Our stories have a flat, made-to-order quality, like the discredited "well made play." Life does not urge the author to find his own form; instead, he twists life to the preconceived formula. Mr. Canby does not blame the editor for trying to give the public what it wants; he believes the editor does not really know what the public wants, or if he does, that his method is defective. The readers, he thinks, would like good literature if they had a chance at it. But in order to find good literature the editor must forget the public and print what he really enjoys.

All this is very reminiscent of Mr. S. S. McClure's editorial method. Mr. McClure made his own taste the only criterion of acceptance while he was editing a magazine. He admits modestly that he never could distinguish between interesting reading matter and "literature." He published some fiction that is still interesting and can be found under cloth covers, stamped with names like R. L. Stevenson and Rudyard Kipling. For a time he succeeded in persuading a newspaper syndicate to tempt the great public with stories by George Meredith. And even now he stubbornly asserts that adventure stories and Meredith are all the same to him, and that there is no difference between his taste and anybody's. Nevertheless Mr. McClure, unlike most people, has a genuinely adventurous palate. He seems also to exhibit the characteristic delusion of genius: that others could do what he has done if only they would have the common sense and take the trouble.

There is, indeed, a widespread opinion, held not alone by editors, that an authentic limbo divides what the hundred thousands find interesting from what is labeled good literature. The hundred thousands think so, for names like Meredith and James frighten them away to movies and touring cars. And there is no question that the hundred thousands really enjoy best sellers and the *Cosmopolitan,* which a few readers anathematize. Mr. Canby's ingenious theory and Mr. McClure's ingenuous practice seem to spring as much from the will to democracy as from anything else. Not wishing to blame the public for the blighting formula, they blame the editors. It is difficult for a practicing democrat to admit that everybody does not like the literature he likes; and a condition which seems to prove him wrong he tries to explain away by calling it a myth, for whose existence he usually blames somebody—the reviewers who fail to make good literature seem anything but dull, the reviewers who fail to discern the merit in popular writings, the reviewers who complaisantly praise inferior work, the publishers who are somehow led astray by advertising methods, the conscienceless or unintelligent editors. But after all, whether there is a difference between what is interesting and what is literature seems to depend on whether the man who exercises the interest is the one who labels the literature.

Take, for example, the editor of *Snappy Stories.* He, like Mr. Canby and Mr. McClure, believes in printing what interests him. But first he believes in making himself like the readers he wants to interest. His magazine is a business enterprise, run strictly for profit. He owns it, and devotes the enthusiasm of his days to the business details of his property. He carefully avoids "good literature." In the evenings, when he is tired, he reads manuscripts for entertainment. It is a simple, efficient method. The circulation of *Snappy Stories* has grown spontaneously in a few years to several hundred thousand. This circulation is valuable for advertisers, as the owner has explained in the pages of *Printer's Ink,* because the men to whom the magazine is sure to appeal are just the men who can afford to buy the advertiser's products. The fact that the same editor also owns and edits *Romance* merely proves that his taste, though not as catholic as Mr. McClure's, is just a bit more inclusive than the taste of some of his readers. It is safe to say that he and his hundred thousands would have liked fewer stories in Mr. McClure's magazine than they like in his own. That is perhaps the reason why the type of magazine that Mr. McClure founded shows signs of giving way before the snappy and breezy type on the one hand, and the "highbrow" type on the other.

Most of our magazine fiction is what it is because most of our magazine readers are what they are. The fiction has merits, and these are the same as the quite obvious merits of the readers. Stories may be conventionalized and flat because of the application of a formula, but the formula exists not alone in the demand of the editors, but in the lives and tastes of the people, and doubtless also in the minds of most writers. Imaginations harnessed to machines, devoted to bank balances, developed in advertising cleverness, or watchful of "magazine markets" have no time, no freshness, for encompassing the authentic expression or the native flavor of the unusual personality. They

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resent the unformulized. They live by formulæ, and they would be at a loss without formulæ in their amusement. They require stimulation by smartness and "kick" rather than by emotion, and they need soothing with happy endings and with love affairs which if risqué are not vulgar, if lively not risqué. They are not to be blamed for this. It is a biological necessity of their mode of existence.

The observant democrat may solace himself with the reflection that these same imaginations, if differently employed, would find braver exercise. He may remember, too, that a genius can sometimes charm everybody with his own piping. But anyone who is deeply interested in original literary expression must not expect to invent an incantation which will call into being much originality in the midst of a civilization of which every product tends to become standardized, of which most activity is finally measured not by its intrinsic quality but by its usefulness for profit, of which the average must be intolerant of the exceptional, and of which the individual may obtain the recognized currencies only by the invention or application of a successful formula. Such a civilization is one in which a rare personal expression can find its power not through acquiescence, but through isolation or rebellion.

GEORGE SOULE.

Kant Through a Layman

Immanuel Kant, by Houston Stewart Chamberlain. Translated by Lord Redesdale. New York: John Lane Co. $7.50 net.

HERE is a book to which, in spite of the somewhat forbidding aspect of two bulky volumes, many will turn with eagerness and high expectation. A book on Kant by a learned layman for other cultured laymen—that, surely, is what we have been wanting for a long while. Why indeed should such a great thinker as Kant remain the exclusive possession of the guild of professional philosophers? And yet at the very first page a cloud appears. "The philosophy of Kant arises out of the keenest dissection of the human intellect and of its relation to surrounding nature. Is it possible to place a clear conception of it before a lay public not previously prepared for its reception?" Mr. Chamberlain answers in the negative. "We cannot drag a man like Kant down to our level." But if we cannot have "a systematic and collected setting out of his [Kant's] life work" (p. 8) or any account of his intellectual teaching (p. 22), what remains? Chamberlain promises "a survey of Kant's personality from the purely human standpoint" (p. 8). But no matter how humanly important we may consider such incidents as "Kant ate heartily at dinner, and was vexed if his guests did not do likewise," this will hardly lead us far into an understanding of the critical philosophy. And if we qualify the essentially unclear notion of personality and restrict ourselves to the "intellectual" personality, "the manner of seeing," are we not back at the philosophy itself which has been ruled out? At any rate, the bulk of this book, so far as it relates to Kant at all, is simply another attempt to interpret Kant's theory of knowledge. Now the theory of knowledge or epistemology is the most juiceless part of modern philosophy. The elaborate description of the forms of knowledge tells us of the various plates on which the scientific repast may be spread, but only the most hardened professional philosopher can get any nourishment out of such a Barmecedian feast.

Toward the end, Mr. Chamberlain, to be sure, passes over Kant's theory of morals and religion and concludes that the Kantian philosophy is the weapon of Kultur against Catholicism and free-thought—but no one except a too conscientious reviewer is likely to read that far. Nor is it necessary to do so; for Chamberlain is as much disqualified to do justice to Kant's practical philosophy as he is to understand the theoretical philosophy. Kant was scientific and cosmopolitan. Chamberlain represents a form of Teutonic militancy which is neither. The extent to which Chamberlain lacks that historical objectivity necessary for the understanding of a philosopher of a past age may be seen from the fact that he entirely leaves out of account the influence on Kant of the Newtonian mechanics, of Hume, and of the Leibnitzio-Wolfian philosophy; and in his account of the practical philosophy he leaves out Rousseau, the only writer whom Kant tells us he read and re-read, and on account of whose "Emile" he even missed his regular afternoon walk.

Like all genuine sensitive minds, Kant's was one of many phases. Hence some differences among interpreters will always exist. There can be no doubt, however, that Kant would have resented the whole attempt of Chamberlain to make his personal "way of seeing" (a fact of individual psychology) the key to the transcendental philosophy, that philosophy which Kant regarded as the universal and necessary presupposition of all scientific procedure. Especially would it have grieved the gentle philosopher of Königsberg to have one who parades as his follower ruthlessly suppress his great vision of a perpetual peace through a world federation of republics (see his tracts on Universal History, and Perpetual Peace) in favor of a strident and pugnacious Teutonism.

But though ostensibly a book on Kant, these two volumes

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are really more. Under cover of a comparison between Kant's "way of seeing" and those of Goethe, da Vinci, Descartes, Bruno and Plato, Chamberlain spreads out before us a vast stock of varied though inaccurate learning and often penetrating reflections. Though his impatience and cocksureness disqualify him from reporting scientific facts or theories with any accuracy, his observations sometimes have that suggestiveness which only a long brooding over conceptions can impart. Unfortunately, however, Mr. Chamberlain's contempt for logic and method is so vehement that in following his instincts he cannot coordinate his movements to lead him anywhere in particular. Like a bull in a crockery shop he moves about without any fine discrimination between friend and foe. With a noble scorn for academic consistency he alternately affirms and denies, praises and blames, the same thing, as the spirit moves him, so that he leaves no definite impression except a welter of contradictions due to irresponsible vehemence. The non-academic reader may, perhaps, not be too anxious to travel in straight lines. He may be willing to go in roundabout tortuous paths and even occasionally go backwards, provided the scenery is sufficiently pleasant. What vistas of insight, however, can Chamberlain offer us? The following with regard to the labor question is typical: "The workman is altogether barren of judgment; there are at present in Germany millions of such craftsmen under thrall of a handful of Jews who find their amusement and advantage in undermining the state" (II, 335). Most readers enjoy a display of temper in philosophic writing. The outcropping of human irritability adds a certain spice to a purely scientific exposition. But a superabundance of spice in a thin soup is an entirely different matter. Mr. Chamberlain's repeated flings at the Jews are peculiarly out of place in a book on Kant, because not only were some of Kant's best friends, like Marcus Herz, Jews, but the contemporary philosopher whom he admired most was Moses Mendelssohn; the critic who understood him best, according to his own testimony, was a Lithuanian Jew, Solomon Maimon; and Mr. Chamberlain's own interpretation of Kant is, so far as it has some sense or method in it, dependent on the one whom he calls the Nestor of Kant critics, Herman Cohen.

This and the more popular of Mr. Chamberlain's books are typical of an important movement of our day—the reaction against the aridity of recent German scholasticism. Chamberlain is a modern representative of the undisciplined humanism typified by the wandering disputatious scholars of the Renaissance. But now, as before, more of the spirit of Greek mathematics and modern empirical science is necessary before wisdom can triumph over vehemence.

The translation itself is fairly readable but not of a high order of intelligence. The rendering of *erkenntniss* by "recognition" makes nonsense of many passages. The paragraph headings, which, in the German editions, relieve the monotony of the long journeys by telling us where we are, are here left out altogether. The footnotes of the original edition are here all put together at the end of the second volume and represent a marvel of unintelligence. All the titles of German periodicals and books, though not of other languages, are translated into English, so that no one can make out what the original references are. I do not know why footnotes have such a bad reputation: by giving us the reference to his authorities an author gives us some power over him; and even though, as in the case of the ballot, we do not always exercise the power we have, it is pleasant to feel that we could if we wanted to.

PHILONOUS.

The Living Chalice of Irishry

Irishry, by Joseph Campbell. Dublin: Maunsell & Co., Ltd.

The Living Chalice, by Susan Mitchell. Dublin: Maunsell & Co., Ltd.

IN artistically diminutive Dublin there is a guild of poets planted in a field of politics, with Mr. Yeats and "AE" as disconnected guildmasters. The poetry of Dublin is no longer national in the historic sense. As Ireland has gradually regained political freedom the strings of the "wild harp" have almost died to silence. The winning cause has always fewer songs than the lost cause. The love of Ireland remains with Ireland's singers, as it will remain until the small nations have followed the great into the hereafter, but it is a love of a gentler, a more hopeful, and, let it be admitted, a more homely day. It is a love less heroic, but not less beautiful. I have before me two books of verse, one composed by a man from the north, the other by a woman from the south. The northern poet, Mr. Joseph Campbell, though he has found an abiding place in Dublin, claims that his sympathies are broad enough to cover the four provinces of Ireland, and that he finds in each of them equal inspiration.

"Artists are fortunate," he says, "in that the color of Irish life is still radiant. One hears on all sides of greyness, emigration, degeneracy, but one has only to look about to see that the cry has no mouth. There is blood everywhere; in the boglands of Connacht, as well as in the farms of Leinster; in the streets of Cork, as well as in that barbarous nook, Belfast, my own calf-ground."

Mr. Campbell's verse is not that of the inner, subconscious imagination blossoming to strange beauty. The radiancy of which he speaks is an objective thing, seen by the eye, interpreted by the brain, and recomposed into literature. His poetry is to a considerable extent a matter of externals. He must have visible color before he can transmute it. He has tangible knowledge of what he writes: he has been "over the ground." His method is somewhat that of the *plein air* painter, but he finds no need for careful selection of subject. He can somehow convey to you that a frowsy loafer by a malodorous Dublin quay is as attractive a figure as a refined student of Thoreau's "Walden" in an April woodland. Of an old-age pensioner crouching over a handful of fire in a miserable cabin he sings, "A Lear at last has come to his own." The Weaver, the Chimney Sweep, the Pig Killer, the Ragman, the Gombeen Man—all these are fish for his net. He is not at all concerned with princes, or kings, or fighting men, or fair women of lost days. He does not handle the tapestries of old dreams, but the simple fabrics of the life around him. His simplicity, of course, is a measured art. If it were not, every field in Ireland through which an educated and observant farmer walked would see a poet, and the Board of Agriculture would go to the wall. One of the cunningest of art forms, however, is the art which appears artless. It gives the touch of instantaneous vision, as in "The Weaver's Family":

The door lay open, and I walked in: I could hear the clack
of a loom
And the thin sound of a woman's voice singing within the
room.
I blessed the house, and the singer blushed redly with
surprise:
A tall woman with ripe breasts and Spanish hair and eyes.

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The "Spanish wine," of course, entered into the body and blood of Ireland centuries ago, and many an Irish peasant woman to-day in the west has the grace and dignity of an Infanta.

Again, we get the flashing *coup d'oeil* in the opening of "The Aran Islander":

He lifts his pint in a tavern on the quay of Galway town,
And with a health to the company he drinks it slowly down.
Strange faces bulk about the bar, wreathed in tobacco smoke:
The seaman with his dirty song, the farmer with his joke.

In two stray verses of "The Unfrocked Priest" the crude lines achieve a strange beauty effect of cruelty and pity:

He leant at the door
In his priest's clothes—
Greasy black they were:
And he bled at the nose. . . .

He was of God's annointed,
A priest no less:
But he had been unfrocked
For drunkenness.

Miss Susan Mitchell is a finished poet, and finished poets as a rule are like finished people—there is nothing more to expect from them; but "The Living Chalice" is richly wrought with the stigmata of a great sacramental religion touched with notes of paganism. The paganism is revealed in "Amergin," the spirit of life in all created things:

I buzz in the dizzy fly, I crawl in the creeping things.
I croak in the frog's throat and fly on the bird's wings.
I play on the keys of the brain, a thought goes here, goes there.
Bird or beast it has bounds, but I am everywhere.
The fretted waters I hold in the hollow of my hand.
From my heart go fire and dew and the green and the brown land.

"The Crib" is devoutly sacramental:

Day closes in the cabin dim,
They light the Christmas candle tall,
For Him Who is the Light of all.
They deck the little crib for Him
Whose cradle is earth's swinging ball.

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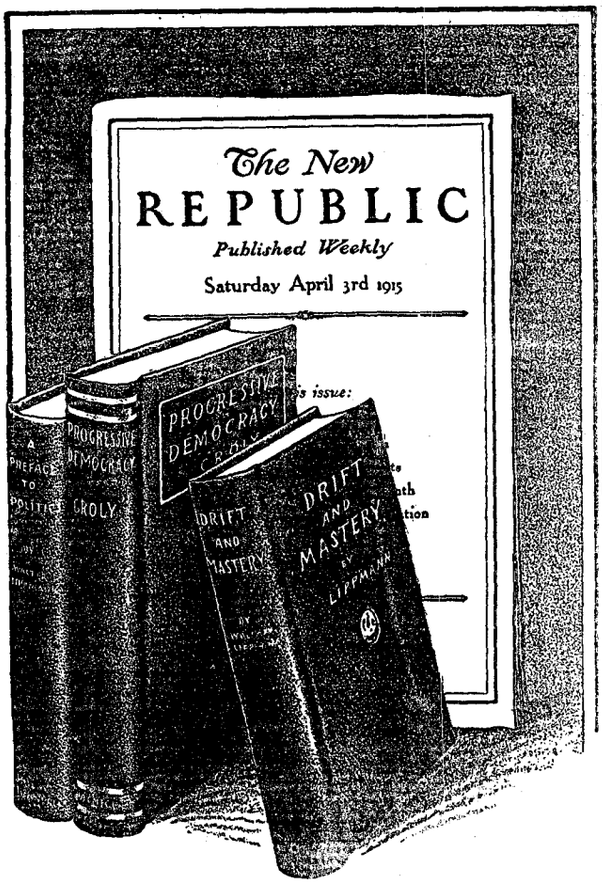

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Witte

No statesman could have told more about the sinister secrets which underlay diplomacy during the years before the war than the great Russian premier, Count Witte. To his friends he talked; and the Dane Josef Melnik here records some of his conversations and outlines his life and character.

Evolution of American Painting

Stirred by the collection at present on exhibition at San Francisco, J. Nilsen Laurvik, Commissioner of Fine Arts to Norway, has written this retrospective study of our artists from Stuart, West, and Peale to the latest come-outers of today. A series of photographs enable the reader to follow this evolution with eye as well as with brain.

The New Heart of Old India

Basanta Koomar Roy, who wrote the recent study of Tagore, describes the new intermarriage between castes, the abolition of child marriages, the education of women, the industrial education of the pariahs, and other social, religious and educational changes which are making over the Hindu people.

Bashfulness

That bashfulness is a nervous malady caused by the unconscious memory of distressing incidents in early life, is the contention of H. Addington Bruce. He distinguishes between the various forms of this malady and tells how it is cured by psychotherapeutics.

The Inevitable Trend in Mexico

A forecast by David Lawrence, who is "on the inside," of what is ahead for Mexico and for this country in its relation to its southern neighbor, with an explanation of the odd situation the Monroe Doctrine throws us into and of the characteristic traits of Mexican government.

A Man's Other Country

Which means France, of course. Herbert Adams Gibbons, author of "The New Map of Europe," etc., who has long lived there, gives a vivid reflection of French life during the early part of the war, which reveals secrets of the French attitude only dimly shadowed forth before. Pictures by Lester G. Hornby.

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And

the second instalment of "Dear Enemy," Jean Webster's charming serial; "Monsieur Bluebeard," a François Villon story by George Bronson Howard; Maurice Francis Egan's "The Diplomatic Point of View"; "The Night Court," an extraordinary poem by Ruth Comfort Mitchell; "In Baffin Land," an Eskimo story by the Canadian writer, Alan Sullivan; "We Discover New England"—III, in which Louise Closser Hale and Walter Hale reach the White Mountains; stories by Arthur Johnson and Donald Wilhelm; and poems by Sara Teasdale, Grace Hazard Conkling and others.

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PART TWO
August 21, 1915

VOLUME IV
NUMBER 42

The New REPUBLIC

A Journal of Opinion

Reconstructing State Government

By CHARLES A. BEARD

I Recent Movements to Reorganize American Government

A FEW years ago when Mr. Herbert Croly, in "The Promise of American Life," advocated a radical reconstruction and simplification of American state governments, his proposal was looked upon as academic if not chimerical. For nearly a century and a half, it was said, we had lived under constitutions founded upon the principles of our fathers, and we were in no mood for any drastic changes in that which had been tested and justified by its own works. Of course, it was admitted parenthetically that during the century and a half there had been many fundamental departures from the original grand design, that constant and extensive amendments to state constitutions had shown a profound dissatisfaction with them, that on the whole state governments had not been very efficient, and, let it be whispered, that they had often not been even decent. It was obvious also that there was much vexation of spirit among the voters, because they were continually tossing restlessly from one party to another and searching eagerly among many schemes for something that would guarantee responsibility and efficiency.

As Dr. Frederick A. Cleveland has put it, they were adopting every safety device that appeared, but were unwilling to admit that any of their fundamental operating methods were wrong. Mr. Croly with his program of simplification and responsibility in government, the short ballot advocates, and all the other reconstructionists were simply ruled out of court. They were attempting to lay profane hands on the Ark of the Covenant. They were met with shrill cries about the gods, the sacred oracles, the Elysian fields, the fathers and the separation of powers, and the bicameral system! From Montana or Wyoming came the solemn warning of the governor that the executive appointment of the state veterinarian smacked of monarchy.

It must be admitted that not many who rushed in to discuss the reorganization of state government took the trouble to think things all of the way through or to acquire even a reasonable degree of consistency. The radicals, who were fairly united on the unicameral legislature, clung with hooks of steel to the check and balance idea embodied in a divided executive. They objected to the waste and friction of two legislative houses, but adhered with complacency to the idea that the executive power should be divided among many elective officers likely to be constantly at loggerheads. So, too, many of the conservative advocates of the short ballot, who saw the futility of the check and balance idea as applied to administration, and resorted to centralization and effective responsibility to the electorate as the remedy, looked with horror upon the unicameral legislature—even with state and federal judicial control under the Fourteenth Amendment securely established. The most radical critics of existing state government, seeing no hope of securing genuine responsibility in representative institutions, sought to solve the problem by making the voters at the polls the government. Thus the advocates of change were divided and powerless to accomplish results, and those sinister interests which profited from the confusion, waste, and irresponsibility in state government looked upon all attempts to oust them from power or to bring them out into daylight as equally objectionable. Every petty spoilsman and every magnate in corruption rejoiced in the ambuscade afforded by a multiplicity of elective offices and an irresponsible government, and every Jacksonian democrat was sure that the people were fully capable of filling every office by election. So the deadlock stood.

Meanwhile, curiously enough, complete revolu-

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tions were being made in the charters of great cities —charters which, in their relation to the life, property, safety, health and wellbeing of millions, were more important than the constitutions of a score of commonwealths. The bicameral system in city legislatures—once looked upon as the foundation of our municipal liberties—was flung away in nearly every municipality of any consequence except Philadelphia, where it remains as a hieroglyphic of ancient days to be examined by the municipal antiquarian. In the greater cities the expedient of a divided executive department on the model of the state government was abandoned in favor of the centralization of administrative responsibility in the mayor. In more than three hundred cities with nearly 9,000,000 inhabitants the old municipal plan was all swept aside and commission government instituted—only to be followed by a strong movement in the direction of a still more centralized plan —the city manager plan—which provides for a responsible political council and a powerful executive officer held firmly to account.

Thus it came about that practical men who looked with fear and trembling upon a unicameral state legislature, no matter how well surrounded by constitutional safeguards, began to look upon a small unicameral council as the ideal city legislature. Thus it came about also that practical men who shrank from the taint of monarchy which clung to the proposal that the governor should appoint the almost innocuous secretary of state, came to approve the appointment by the mayor of the powerful police commissioner or the commissioner of public health. Most wonderful of all was the spectacle of Socialist city administrations in search of funds for beneficent enterprises, standing side by side with taxpayers in the effort to eliminate the enormous waste of municipal revenues which inevitably flowed from the pork-barrel politics and log-rolling tactics of ward statesmanship. Hence the demand for a centralized and scientific budget, made by responsible officers and approved by the city council.

Considerable as was the unanimity among radicals and conservatives on the principle of simplification and centralization in municipal administration, it may readily be exaggerated. One might say that they have just as frequently been united in favor of retaining the old system of elective officials and ward politics. More than once have the Socialists and the old line politicans united in an effort to defeat commission government or city manager government—the former on the ground that it deprives the voters of the right to choose innumerable petty officers, and the latter on the ground that it promises to retire many of them to private life. But in spite of this opposition, the movement for simplification and responsibility in city administration proceeds with cumulative rapidity.

And at length it has begun to reach the fringe of state governments. There it meets with still greater opposition from professional conservatives and radicals. The former fear a simplicity which makes the government transparent to public gaze and easily operated by the voters. They hold with Daniel Webster that "nothing is more deceptive or more dangerous than the pretense of a desire to simplify government. The simplest governments are despotisms. . . . The spirit of liberty is . . . jealous of encroachment, jealous of power, jealous of man. It demands checks; it seeks for guards; it insists on securities; it entrenches itself behind strong defenses. . . . Every free government is necessarily complicated." The radicals, on the other hand, view this search for the simplicity and centralization which is demanded in the name of efficiency and responsibility as incompatible with democracy. To their mind, democracy means many elective officers checking and balancing one another, constant rotation so that everybody may have a chance to hold office, frequent elections even though they result in no changes, merely because they exercise the voters, and unlimited opportunity for ward or district politicians to get at the public treasury through log-rolling. Thus extremes meet in opposition to the reconstruction of state government; but still the movement in favor of reconstruction goes on. Indeed, there are now signs that it is so well under way that we may look for large practical results within the next decade.

The signs are (1) the widespread discussion of the subject among students of government and politics whose views will powerfully affect public opinion during the next two or three decades; (2) the appointment of commissions in several states to study and report on the subject; (3) the recent messages of a number of governors in favor of somewhat radical alterations in the fundamental structures of state government; (4) the advocacy of simplification and centralization by many leaders in the movement for direct government who do not find the last word on politics in the initiative, referendum, and recall; and (5) the conclusion of advocates of efficiency and economy that mere bookkeeping systems do not produce real results but that such results are to be obtained only through a scientific budget, a cabinet system, and open executive leadership held accountable to the electorate. When we find Mr. Taft advocating before the New York Constitutional Convention something perilously approaching the device which is ardently supported by Mr. U'ren and his friends in Oregon, we may reasonably suspect the existence of a strong public sentiment in favor of the change in question, and may look forward with confidence to practical action in the near future.

If we look at these signs of impending change a little more closely, we find in the first place that the American Political Science Association has devoted a large part of two annual sessions to the subject of reorganizing state government and administration. In 1910 it was discussed at the Buffalo meeting by a number of students of political science. At the sessions of 1914 the subject was again taken up, and a comparison of the two discussions is illuminating. On the first occasion the trend of the papers was abstract and philosophical,

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—naturally, because there was little concrete material to bring under review.

In the 1914 session all that was changed. The speakers had to record the appointment of many commissions and committees charged with studying and reporting on governmental and administrative reorganization. Professor John A. Fairlie, who presented a paper on governmental construction in Illinois, spoke not merely as a professor of political science, but as the director of the efficiency and economy committee appointed by the legislature—a committee which has published a voluminous and illuminating report advocating a drastic administrative reform and complete budgetary responsibility. Professor Horack, of the University of Iowa, spoke as the representative of a state whose legislature had recently appointed a committee to "examine and report upon the existing procedures incident to the transaction of the business of the state," which had reported in favor of a reorganization of the entire executive department. Professor Dykstra, of Kansas, took up the startling recommendation of Governor Hodges in favor of a small, single-chamber legislature for the state and the popular discussion of the proposition of the idea. Professor Young, of Minnesota, had for his theme the repeated and serious messages of the governor of that state urging reorganization of the administration and the report of the legislative committee on the matter. Professor Barnett, of Oregon, brought under review not theories in political science, but the popular discussion of actual reorganizing amendments submitted to the voters of that state in 1912 and 1914 by the People's Power League.

In the second place, official commissions have been appointed in ten or twelve states, including Connecticut, New Jersey, Illinois, Minnesota, Iowa, Nebraska, and have reported with varying degrees of emphasis in favor of reconstructing state administration. The Illinois commission points out the following evils in the present government of the state: "Duplication of positions and salaries; work poorly done; high cost of service due to inefficient organization; lack of correlation and cooperation between offices; failure to get before the legislature facts essential to appropriations and legislation; failure to fix responsibility." The Iowa commission reports that "the worst faults in the present organization are lack of unity and lack of responsibility. The government is incoherent. There are a multitude of disconnected, unaffiliated departments and bureaus, over which neither the governor nor the legislature nor the people have effective control." In all of the reports there is a demand for reconstruction to secure simplicity and responsibility. No great results have yet been achieved. We are at present in the stage of study, planning, and agitation.

In the third place, the recent messages of our state governors show a vital interest in structural changes in state government and administration. Some of these messages are limited to moderate proposals in favor of greater administrative centralization, and others go to the very root of state government. Whoever would get the drift of governors' opinions should read the 1915 messages of the governors of Colorado, Idaho, Kansas, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Tennessee, and Wisconsin. The governor of Arizona recommends a small unicameral legislature of from five to fifteen members; the governor of Washington proposes a single chamber of twenty-five members. In 1913 Governor Hodges, of Kansas, proposed a small legislature of one house, elected for four or six years, sitting at will, with the governor as a member.

In the fourth place, many leading advocates of the initiative, referendum and recall are coming to hold that a reorganized and responsible representative machinery is full of promise for democracy. In 1909 and 1911 the People's Power League of Oregon published a proposed plan for state government which concentrated executive power in the hands of the governor—checked only by an elective auditor—and established vital connections between the governor and the legislature. In 1912 and 1913 the League submitted a part of their plan to the voters, but they were defeated. Among other things, they now propose to abolish one house of the legislature, to give the governor a seat in that body, to destroy log-rolling by vesting the power of originating the budget in the governor, with only a power to decrease in the legislature, and to centralize administrative authority in the governor, who is to be subjected to constant scrutiny on the floor of the legislature. Though defeated for the present and denounced as the friends of monarchy, these advocates of direct government who are now pleading for responsible representative government are steadily gaining followers. The growth of commission government in the cities of Oregon and the demand for efficiency and economy in administration point to the not distant day when a considerable portion, if not all, of the plan of the People's Power League will become a part of the fundamental law of the state.

In the fifth place, and now we have come to the real burden of this article, the advocates of efficiency and economy, who are usually, but without warrant, supposed to pin their faith to score-cards and bookkeeping, have come to view simplicity, centralization in administration, executive leadership, and direct responsibility to the electorate in all parts of the government as absolutely essential to carrying out any genuine economy in finances and efficiency in administration. For this reason the reports of several of the state commissions mentioned above, notably that of Illinois, deserve special consideration, but more significant than this is the report of the New York Bureau of Municipal Research on the government and administration of New York State prepared for the Constitutional Convention of 1915.

Since its foundation, in 1906, the Bureau had directed its energies chiefly to investigations and research in administration with special reference to

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finances and budgets. On its staff it has more experts in accountancy and finance than in any other field of government and administration. For years it has been searching in a scientific spirit for the methods best adapted to conducting the public business in an economical and effective manner. It has studiously avoided partisan politics and has devoted itself to the field of administration without fear or favor, so far as this is humanly possible.

When at length the Bureau is called upon by the Constitutional Convention Commission of the state to review New York government from the point of view of efficiency and economy, it responds at once by declaring that efficiency and economy cannot be secured by any "mere readjustment of parts—rearrangement of powers and of departments, bureaus, and divisions of the administration. In fact, it goes to the very root of the whole system of government. Responsiveness and responsibility for economy and efficiency cannot be secured by administrative alterations alone. They can only be obtained by a fundamental readjustment of the relations between the legislature and the governor on the one hand, and between the governor and the administrative officers on the other—by making such constitutional changes as will assure responsibility and responsiveness in the government as a whole, constant and informed criticism and scrutiny within and without, official leadership in the formulation of policies, and the concentration of public opinion at elections on the work of the government already done or omitted and work proposed for the future."

The circumstances under which such a remarkable declaration was made deserve narration at length. Toward the close of the year 1914 the New York Commission on Efficiency and Economy, in preparing a report on the government and administration of the state for the coming Constitutional Convention, invited the cooperation of the Bureau of Municipal Research. As a result of the combined efforts of the two bodies, there was published in January, 1915, a bulky volume of 768 pages, entitled "Government of the State of New York: A Survey of Its Organization and Functions." Here was described the legislative, executive, and judicial organization of the state government in its most minute ramifications. Here were set forth all of the boards, departments, commissions, bureaus, and offices of the state, their functions, the number of their employees, their salary and other costs, and their organic relations or absence of relations. By the most painstaking dissection, the entire structure of the state was laid bare for the first time in its long history. To quote from the report: "The function or purpose of each division of the government is explained and defined. The organization in its various units, such as departments, bureaus or divisions, is outlined, not only in text form, but also in charts. The activities or duties of every individual officer and employee are described. The number of positions, the civil service titles and grades and salaries thereof are given. . . . It shows that the Government of the State of New York comprehends one hundred and sixty-nine departments, bureaus, boards, institutions, commissions, and offices, and that they supervise or regulate practically everything that there is in the state."

On the completion of this joint undertaking, the Bureau of Municipal Research was requested by the Constitutional Convention Commission to prepare an "appraisal" of the existing organization of the state government; that is, a critical examination of the structure which had been described with such detail. The Bureau complied with this request and, evidently at great pains and expense, issued a volume entitled "The Constitution and Government of the State of New York,"* in which the existing structure and methods of the state government are subjected to searching scrutiny by experts of large practical experience in every branch of administration.

II Standards for the Criticism of State Government

This volume may be considered in many ways as the new *Federalist*—if respect for that famous classic will permit us to say it. Like that great commentary on the Constitution, it treats the subject of government in a broad, philosophic way, but with constant reference to historical experience and practical application. It is true that it does not deal with a frame of government already agreed upon. Nor does it recommend to the reader a constitution in detail. It is a criticism, not an apology, but it is dominated by a constructive ideal of government and administration just as surely as the message of Hamilton, Madison and Jay more than a hundred years ago was formulated on the basis of the Federalist concept of government.

Indeed, the Bureau in preparing it does not seek to conjure or delude the reader by taking him unawares. The critical operations are prefaced by a chapter laying down the standards used as a basis of judgment. The student of political science who approaches any problem in statecraft from the standpoint of past experience in government will doubtless be surprised that the authors of the volume before us appeal to institutional experience in its broadest sense—including that of large private corporations whose financial operations are greater than those of many commonwealths, and whose stockholders and employees exceed in number the inhabitants of many of the Greek states from whose history Aristotle derived so much political wisdom.

Those who are at first shocked to find the science of government related to "the vulgar arts of trade" will do well to inquire by what process the consideration of those arts which exhaust so many of the possibilities of human nature have been excluded from our thinking about politics. Perhaps

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* The May issue of the series entitled "Municipal Research," to be secured from the Bureau at 261 Broadway at the published price of $1.00.

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upon reflection they will conclude that institutional experiences of private enterprise and those of public enterprise should never have been so rudely put asunder.

However this may be, it will be admitted that for the purpose of discussing anew the fundamentals of government with lawyers and business men such as dominate the convention at Albany, an appeal to their experiences with corporation organization and practices touches a more tender spot than the most ingenious references to the experiences of European countries in their efforts to establish responsible government. The whole matter was put in a homely manner by Dr. Cleveland in speaking on the reorganization of state government before a body of New York City business men a few days ago: "When you hold your annual meeting as a board of directors, do you lock the door and say to your executive manager, 'Write out a stump speech and send it to us, and whenever we want any information about what you have done or what administrative methods should be adopted for the future we will investigate you'?" The smile which greeted this question broadened into a knowing grin after Dr. Cleveland added: "When you, as a board of directors of a corporation, come to a deadlock over a fundamental policy do you resort to indiscriminate abuse and tie up the wheels of your concern until some 'dicker' satisfactory to no one has been made, or do you put it up at once to your stockholders to decide between the issues thus raised?"

Had learned references been made to the pages of Lowell, Anson, and Bagehot, the whole point would have been lost, but by the simple appeal to common experience and common sense the basis was laid for thinking about the establishment of responsible government in the United States. There is tactics as well as wisdom in seeking principles for the reconstruction of state government in institutional experience in its broadest sense—in public and private enterprise.

Out of this experience the following expedients have been evolved for making the management of cooperative enterprises, public and private, responsive and responsible to the membership and efficient in operation. These are:

1. The selection of representatives charged with the duty of formulating policies and reviewing the acts and proposals of those officials charged with administrating the cooperative enterprise.

2. The selection of an officer or officers to do the work planned.

3. Provision for obtaining reliable information needed to keep the representatives and the members at large informed about what is being done by the executive.

4. Provision for securing and retaining an efficient personnel with which to carry on the enterprise.

5. Provision for the prompt retirement of the officers and representatives who do not retain the confidence and support of a majority of members.

6. Executive leadership in planning work and in finance.

Having derived these principles from experience in the administration of corporate trusteeships, the authors of the Bureau's report call attention to their similarity to the accepted principles of responsible government in a genuine democracy. They are not so naïve as to imagine that the parallelism is exact in every particular—especially that the members of a political society possess the identity of interest which marks a private cooperative concern. As will be pointed out below, no undiscerning Rousseauism leads them into assuming that in statecraft the interest and probable operation of economic groups can be left out of account. But for all that the six principles thus enumerated form a readily acceptable part of democratic thinking in politics as well as in corporate operations.

III The Political Science of Negation

On the basis of these accepted principles our authors proceed to criticise the present structure of government in the State of New York, but throughout this criticism they do not assume that previous American constitution makers have been hopelessly muddled in thinking out the problems of government. On the contrary, they account for the present confusion and deviations from sound principles by reference to historical circumstances.

They open by saying:

> American state government, in its essential principles, was not originally designed for efficient, constructive public work, but was the product of temporary and peculiar conditions growing out of the revolt against Great Britain. In their natural antipathy to leadership by a royal agent, the revolutionists rejected leadership altogether. In their fear of the British crown and the royal governor they came to fear all power, even if exercised by their own agents. Instead of making the executive authority responsible, therefore, they destroyed it. Knowing that royal agents could not be entrusted with authority, they came to the conclusion that no one could be entrusted with authority. Their ideal of government was a negative one and in seeking after a government powerless to do harm they set up one weak in power for good. This principle of negation, of preventing evil by dividing the powers of government into infinitesimal parts, is the chief source of the wastefulness, irresponsibility, and inefficiency which characterize the present system of government.

This spectre of negation which naturally dogged the steps of the Revolutionary fathers has never been downed. As Dr. Cleveland once remarked, "Our constitution makers have assumed that public officers are of the criminal class"—which is another way of putting what Bryce said when he remarked that American government was founded on the doctrine of original sin, or words to that effect.

That extraordinary disintegration of an already attenuated executive power, which occurred at the mid-century when a large number of state officers were made elective, our authors likewise attribute

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to the spirit of negation. Speaking of the New York convention of 1846, they say:

> One of the tasks that the convention which assembled that year regarded itself as called upon to accomplish was the "abolition" of the system of irresponsible government so far as it was connected with the choice of executive officers under the constitution of 1821. In other words, *negation,* as before, was uppermost in the minds of the delegates. It happened about the same time that Western Europe was disturbed by the agitation against royal and imperial despotism which broke out in 1848 in a series of violent revolutions in France, Germany, Austria and Italy. This agitation was in one significant respect similar to that which had accompanied the American Revolution; that is, it was aimed at the *destruction* of the arbitrary power of hereditary despots. The obvious remedy seemed to be the destruction of the executive. That was the primary task before rising democracies. It was not possible to talk about controlling the executives in the name of efficient democracy until democracy had reduced the executive to such a constitutional position that he could be controlled by law. It was under these circumstances—the popular clamor for the abolition of the unofficial despotism of the Albany Regency and the wide-spread agitation against official despotism of European monarchs which reached our shores—that the convention of 1846 made the secretary of state, comptroller, treasurer, attorney general, state engineer, and the judges elective by popular vote. The one was aimed at the abuse of legislative power, the other was aimed at the abuse of executive power. Each sought to accomplish its end by giving to the electorate a larger sphere of power.
>
> It is true, the proceedings of the convention of 1846 record a demand that these high officers be made responsible to the people by the establishment of popular election, but it is likewise true that abolition of certain evils was uppermost in the minds of the delegates. They evidently assumed that by transferring the right of election from the legislature to the people the irresponsible and unofficial boss system, which had hitherto controlled the choice in fact, would disappear, on the general theory that leadership is not essential to intelligent operations in such matters. That which was a historical accident then became a dogma, namely, that all high officers, no matter what their duties, must on democratic principles be elected by popular vote. And the theory has been carried to such a great length that a governor of a western state solemnly declared not long ago that the appointment of the state veterinarian by the chief executive savored of monarchy.

IV The Conditions Precedent to the Success of Democracy

In discussing the existing law with reference to the ballot, the Bureau, after calling attention to the ingenious devices which have been contrived to surround it with safeguards, dwells at length upon the curious fact that so little consideration has been given to the question of the conditions precedent to the effective use of the ballot. In protecting private rights the greatest attention is given methods for defining and joining issues in submitting them to the decision of a judge or jury. Practically no provision has been made in the United States for defining, presenting and determining issues having to do with political and social justice. In our political innocence we expect that chaos of formless and clashing views which we call public opinion to definitize its own issues, discover leaders capable of putting popular will into effect efficiently, and then keep alert day and night holding our hydra-headed government to account for the charges committed to it.

In this country, the Bureau protests, the whole subject of defining and presenting political issues has been left to the private initiative of persons and organizations that do not have or expect to have any official responsibility in carrying out the public will when it is once formulated:

> Here necessity, the mother of invention, has produced a long series of unofficial non-legal devices, which have had for their purpose the doing of things that have been elsewhere more effectively done officially under conditions that contribute to responsibility. Without more than adverting to these adaptations, attention is called to the fact that the non-official and detached character of our political agencies called "parties," even since they have been made the subject of regulation, in the nature of things leaves our electoral system defective in the following particulars:
>
> 1. The *parties* themselves, under our system, are irresponsible. Any agency whose responsibility cannot be defined and located in a body of official persons within the government is, of necessity, an irresponsible agency; therefore, it is one that does not make for "responsible" government.
>
> 2. *Party action* is not taken on well-defined current issues. The proposals of our political parties are made and submitted in generalities for the primary purpose of obtaining votes for persons seeking office and ordinarily they do not present issues arising out of an actual division on important measures or subjects of public business.
>
> 3. *Proposals* by irresponsible non-official agencies are not adapted to securing sound judgment from the electorate and are not adapted to making the government responsive.
>
> The instrument at present employed in presenting party claims to popular support is what is called a "platform." This is prepared and used to further the efforts of a "party" that is seeking to get control of state offices. It is made up largely of promises and not of issues. As a result of remarkable legislation in New York the party platform is made by an extra-legal and wholly uncontrolled convention and the candidates are nominated by a totally different body—namely, the entire party electorate. Thus it may happen that the platform may be drafted before or after the nomination of candidates and that the candidates of the same party may not only have no harmonious relations, but may even entertain the widest divergence of opinion on matters of public policy. It may happen, also, that one group of the party may control the platform-making convention and another group may nominate candidates wholly out of accord with the express policy which they are supposed to carry out. In short, it is impossible to imagine a system less calculated to secure the union of the party on principles of public policy and to localize responsibility in specified public officials put into power by the party.
>
> Assuming, however, that a union of party nominees on the principles of the platform is possible under our present system, there are other devices which unavoidably make for irresponsibility in our government. There

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is no process whereby we may be sure that the "platform" relates to specific acts of officers associated with the public measures and policies in dispute. On the contrary, the "platform" is a long list of generalities and an arraignment—a general list of proposals advanced by one "unofficial body" against another "unofficial body." These non-official organizations and non-official expressions of opinion are not concerned with the definition and decision of a single issue. Parties enter upon a campaign with a platform as a general declaration of political faith in the hope that they may get the electorate to pin their faith to their candidates, rather than settle any one or more of the broad questions presented. An election, therefore, does not approve or disapprove specific acts of officers or of an organized official body called "the government," but it is a count of votes for candidates for office who are not leaders and who do not have anything more than remote relation to what has gone before or what may happen thereafter. That is, our political contests do not center sufficiently in official persons who have performed certain acts of government or carried out specific policies or in candidates who, if elected, will do certain things or establish certain policies.

The Bureau does not doubt the ability of the people to act with good judgment in making up their minds on questions of public policy, but it does most vigorously protest against the notion that an American election, in returning to power a party with its platform promises, renders an actual judgment—save in crucial campaigns such as 1860 or 1896. Above all does the Bureau protest against the notion that a party can be really held to account when those who formulate its platform or define its issues, in so far as they are defined, do not propose to assume the actual official responsibility for carrying into effect the decision at the polls. Responsible government can never be established under such circumstances, and the essence of efficiency is not to be found in legal devices for checking and balancing, but in responsibility.

On this ground the Bureau would doubtless reject the initiative as an instrument of responsible and efficient government. Obviously what could be more contrary to the principles requisite for such government than the idea that any body of irresponsible private citizens should be allowed to draft laws, and, on securing a dark-room approval in the polling booth by a majority of citizens who may not give the matter ten minutes' thought during the ensuing twelve months, press the enforcement of such laws upon officers who are perhaps out of sympathy with the measures and willing, if not anxious, to discredit them? Such a procedure is incompatible with accountability in government—and without accountability there will be no efficiency. Without efficiency, democracy cannot carry out effectively any large program of social work.

The Bureau does not regard "direct government" with horror. It looks upon it as another futile effort to solve the problem of unaccountability in government on the old principle of negation, which has been the chief source of American institutional development. It has the same objection to direct government that it has to the division of state administration among one hundred and fifty boards, officers and commissions. It holds that both devices are the product of a quest for responsible government. Indeed, the Bureau pertinently remarks on this point:

To attribute the wide extension of these political devices to a temporary wave of radicalism or to a determination to overthrow representative government would be a fundamental error. The most radical and revolutionary parties of Europe have never spent any time or effort in working for such institutional methods. Their wide extension has been due to a sincere quest for a responsible and responsive system of government. As a result, no doubt, it has been possible to get issues before the people and to introduce a certain amount of responsiveness and responsibility, where before it was lacking, but this has been done at an enormous cost, after long delays, and by employment of very complex and labored processes, whereas, by following well-known, well-tried constitutional expedients, very simple and effective methods could be employed to insure responsibility for leadership, for honesty, for efficiency and economy.

What the people have failed to realize is that the cause of their distress has been fundamental, not incidental in character; that they are confronted by a condition that requires radical operation instead of palliatives—a constitutional adjustment which will bring into our political system the well-known and well-tried mechanism that makes for responsible government and renders impossible irresponsible leadership.

V The Executive Department

Nowhere has this science of negation been carried further than in the organization of the executive department. Fear of the executive causes our political thinkers to lose sight of the executive as the natural leader in the formation of public policies as well as in their execution. The necessity for constructive leadership was ignored largely, though not altogether, on account of fear. The simplicity of society and its problems in the early part of the nineteenth century and the removal of foreign affairs from the concern of the states made its absence less obvious.

Thus it came about that democracy in the United States almost destroyed the executive, whereas in other advanced countries democracy conquered and took possession of the executive.

Not only is the executive destroyed so far as effective leadership and responsibility are concerned, but it is so disintegrated in itself that it is almost wrecked as an instrument of administrative control. Charts printed in the Bureau's reports show that the executive work in the government of New York State is divided among at least 141 different departmental officers, boards, and commissions, having administrative duties with slight provision for coördination and with less provision for executive direction and control.

In fact, the internal structure of the executive department is founded on no consistent principles. The executive power is vested in the governor in one clause of the constitution, and in the next clause he is deprived of a large portion of it. There are

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several elected state officers with executive powers who are about as independent of the governor as they are independent of the President of the United States. The state engineer and surveyor, for instance, is elected by popular vote, and his important powers are defined in the constitution.

If it be said in tearful tones that this is a system dedicated to democracy and consecrated by time, the obvious answer is that it is no system at all, but a historical freak. No conclusion or guiding principle has ever been put forth for determining what officers should be elected and what appointed. It is not the importance of their duties or the degree of responsibility imposed upon them. No Constitutional Convention has ever given a reasonable answer to the question: Why should the state engineer and surveyor be elected by popular vote and the superintendent of public works be appointed by the governor and the senate? Or the equally significant question: Why should the governor be intrusted with the power of nominating the public service commissioners, whose functions are of vital significance to the whole state, while the secretary of state, whose duties could nearly all be discharged by a competent clerk, is elected by the sovereign people acting in their might and majesty at the polls?

Article V of the present New York constitution, dealing with departmental organization, is, the Bureau declares, nothing but a historical accumulation. It presents no consistent scheme for defining the limits of the departments which it deigns to mention. The powers and duties of five important officers dignified by constitutional mention, the secretary of state, comptroller, treasurer, attorney general and engineer, are left wholly undefined. If it be said that such powers and duties are clearly implied in the names of the officers, the obvious reply is that the legislature in

> . . . distributing public business does not follow any such implications. It may be pertinently added that the duties of the superintendent of prisons, whose functions are set forth in great detail, are as positively defined by title as are those of the secretary of state. If the important functions of collecting and supervising the funds of the state are to be distributed at will by the legislature, not merely between the treasurer and the comptroller, but among as many boards and commissions as the legislature sees fit to create, then there is certainly no reason why the duties of the superintendent of public works may not be left with safety to legislative action.
>
> Weighty as are the objections against such disparity of treatment in defining the functions of the several officers, still more weighty objections may be brought against the principle of demarcation which the constitution applies in deciding what offices are worthy of constitutional mention and what are to be left to the legislature. Dignity and magnitude of influence over the lives and property of citizens have not been the criteria for distinguishing constitutional from statutory officers. It will not be seriously contended that the superintendent of prisons is of more public consequence than the commissioner of health or the commissioner of labor.
>
> It is thus apparent:
>
> 1. That the metes and bounds set by the constitution to the governor's executive power by the creation of elective officers are wholly fortuitous and in no way related to the simplest standards of business and common sense. The secretary of state whose duties are relatively unimportant in most respects is entirely independent of the governor; but the superintendent of public works is appointed and removed by him.
> 2. That in the definition of official duties the constitution follows no consistent principles, but leaves some of the most important offices wholly at the mercy of the legislature while narrowly circumscribing the functions of other officers.
> 3. That no principle has been followed in determining what offices should be treated in the constitution, the legislature being bound in some minor matters and entirely free in others of more importance.
> 4. That, whether considered in relation to the organization of the executive work under the governor or independent of all other considerations, the situation requires treatment according to some consistent standards.

The disintegration of responsibility which is brought about by the absence of organization in the executive branch of the government is increased by the diversity—one might well say perversity—in methods of appointment. As a result of the survey of state institutions the Bureau found that there were no less than sixteen different ways of appointing the heads of state departments, bureaus and offices, and members of state commissions; namely:

1. By joint action of both houses of the legislature.
2. Partly by joint action by both houses of the legislature and partly by action of the law (*ex officio*).
3. By joint action of both houses of the legislature and approval of the governor.
4. By separate action of the senate, assembly and the governor.
5. Partly by separate action by the senate, assembly and the governor, and partly by operation of the law (ex officio).
6. By the governor with the advice and consent of the senate.
7. Partly by the governor with the advice and consent of the senate and partly by operation of law (ex officio).
8. Partly by the governor alone.
9. Partly by the governor and partly by law (ex officio).
10. Partly by the governor and the mayor of the City of New York and partly by the operation of law (ex officio).
11. Partly by the governor, the state board of charities and the prison commission and partly by operation of law (ex officio).
12. Wholly ex-officio.
13. By the fiscal supervisor and one of his appointees and by superintendents who are not his appointees.
14. By self-perpetuating bodies.
15. By the court of appeals.
16. By the supreme court.

Scarcely less wonderful are the methods of removal and the limitations on the process. Some officers may be removed by impeachment. The

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treasurer may be suspended but not removed by the governor. Some constitutional and many statutory officers may be removed by the governor without the consent of the senate; in other cases the consent of that august body is required by law. In many cases appointing officers may remove subordinates summarily; in other cases they can remove only after granting a hearing to the accused. Sometimes the power of removal can be exercised for specified causes; again it is limited only by vague phrases, such as "the public interest" or "unfitness" for the services in question.

As the report before us puts the matter:

> When tried by canons of consistency and responsibility, the methods of removal provided by the constitution and statutes are found to be confusing beyond measure. Article V of the Constitution authorizes the removal of two officers by the governor and the suspension of a third. The superintendent of public works "may be suspended or removed from office by the governor, whenever, in his judgment, the public interest shall so require." The superintendent of prisons may be removed by the governor "for cause at any time." In the case of the removal of the former officer, the governor must file with the secretary of state a statement of the cause of such removal and shall report such removal and the cause thereof to the legislature at its next session. In the case of the removal of a superintendent of prisons, however, the governor must give the officer a copy of the charges against him and an opportunity to be heard in his own defense. It is difficult to imagine the considerations which require that a superintendent of prisons about to be removed should be heard in his own defense, while a superintendent of public works in a similar position should not be given that opportunity.
>
> In the case of the officers made elective by the constitution, the principle of complete independence of the governor is maintained, except in one instance. The state treasurer may be suspended by the governor, but only during the recess of the legislature and until thirty days after the commencement of the next session. The governor may exercise this high power whenever it appears to him that the treasurer has, "in any particular, violated his duty." If the governor suspends a treasurer under such circumstances, he may appoint some person to discharge the duties of the office during the suspension of the treasurer. It is difficult to see what standards of responsibility and efficiency place the treasurer under such partial control by the governor and leave the other high elective officers entirely exempt. Surely a comptroller, or state engineer and surveyor, or attorney general who violated his duties could do about as much harm to the public interest as a treasurer. Worse injuries to the state are conceivable than the loss of money or a confusion of accounts in the treasury department.
>
> In the case of offices created by statute, there is also great variation in the methods of removal. Perhaps the principle most consistently applied is that the consent of the senate shall be necessary to the removal by the governor of appointive officers of high rank. The origin of this principle is clear: fear of concentrating too much power in the hands of the executive and the reluctance with which party organizations in the senate yield any control over patronage.

In reviewing the organization of the administration under the governor, the Bureau arrives at the short ballot principle by approaching the matter from the administrative point of view; namely, that only those officers who are to act independently and who can really be held to account for their actions should be elected. In other words, independent of the question as to the capacity of the voters to select and control a vast horde of officers, the proper grouping of related functions and their subordination to responsible heads will automatically produce the short ballot. This view of the matter is not overlooked by Mr. R. S. Childs in his admirable little book setting forth the short ballot principles, but it is not commonly taken into account by those short ballot advocates who view the question from the standpoint of the voters.

There is also another vital element that deserves a fuller consideration than it has yet received at the hands of the short ballot philosophers. We may concentrate public attention on a few officers, but we are not justified in holding them accountable for efficient administration unless we give them a power commensurate with their responsibility, and unless we provide proper conditions for the employees who work under their direction—proper conditions as to initial salaries, advances, promotions, retirement, health, comfort, and discipline—conditions which will enable responsible officers in government to develop and retain experience and expertness in the handling of the many complex and difficult problems of the public service.

VI The Legislative Branch of the Government

The main criticism advanced against the present organization of the legislature is directed to the principle of territorial representation. Here the Bureau recognizes that complexity of the social basis of government which was apparently overlooked in enunciation of the elemental principles noted above. It is just because of this very complexity that the responsiveness of the government to constituencies, which is required by the democratic theory, is incompatible with the representation of petty districts—geographical subdivisions—and calls for the representation of various economic and social interests that cut athwart territorial lines.

The reason for geographic representation, it is urged, is purely historic:

> When representative government originated, it was the result of opposition that was locally organized. Recognizing this fact, a parliament, whose membership was territorial, was employed by the king to obtain the consent of the locally organized opposition to the imposition of taxation. And in assigning or agreeing to representatives, he selected heads of the most important local subdivisions for these very obvious reasons. They were in control of the resources that the king sought to reach, and of people whose ill-will he could not afford to incur.
>
> At that time and for centuries the territorial subdivisions, such as counties and boroughs, were fairly uniform in their interests and in their demands on the central government. Since that time economic and social

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interests have taken on a new alignment. Instead of self-centered communities, in whose affairs interests are common, the principle of specialization and subdivision in individual employment has operated so that constituencies based on community of interest are not territorial but functional and state-wide in their organization and association.

Besides this, the fairly equal distribution of the population which formerly made the representation of these local units reasonably equitable, has by a rapid process of development in the mechanical arts given way to a relatively more sparsely settled country and highly congested cities. This situation obtains in New York even to greater extent than elsewhere. There is now no such thing as even a rough equality between counties and towns, and local representation has come to mean almost nothing when considering matters of state-wide importance.

The acceptance of the purely fortuitous boundary lines of county and town has more than a negative importance. It places representatives in the attitude of local competition and reduces the legislature as a branch of the government to the plane of a commercial exchange in which local representatives bicker for advantage. A second result has been to pit the country against the town in a contest of strength, which not infrequently defeats measures necessary to the highest welfare of the people of the state. A third result is that it causes the legislature to retain control over many local matters that could best be left to county or municipal government.

Even assuming that territory and not constituencies are of primary importance, the system has worked badly. It is true, the present constitution requires that each senate district shall contain as nearly as may be an equal number of inhabitants, excluding aliens, and the apportionment of representation in the assembly among the several counties of the state as nearly as may be according to the number of their respective inhabitants, excluding aliens. But, as is well known, the principle embodied in these provisions is grossly violated by limitations imposed by the constitution itself (such as the provision that each county except Hamilton shall have one assemblyman regardless of its population) and by the methods of apportionment employed by both political parties. The gerrymander, which is persistently used, is openly designed to defeat responsibility by securing to the dominant party which resorts to it a representation larger than that to which its vote entitles it, and the gerrymander cannot be prevented as long as the single member district is the basis of apportionment.

In other jurisdictions and political systems where the need for a new method of defining constituencies has been recognized, the principle of proportional representation has been adopted. This has led to the abolition of the single member district and the establishment of a system of membership responsive to constituencies by giving to each reorganized constituency representation approximately according to its voting strength. For this method it is claimed that it works justice to all parties, guarantees an approximately exact reflection of all shades of public opinion in the legislature and establishes in fact, as well as in name, a legislature responsive to the will of the people. Whether by this or other methods, the end is accomplished, fulfillment of the essential purpose of a representative body in government requires that the present territorial system be abandoned.

On the point of the bicameral system the Bureau is less positive. It raises the question whether the dual arrangement now serves any other than a negative purpose; whether it does not operate to intensify friction, waste, and confusion of responsibility in government. It calls attention to the fact that the double chamber system has been abandoned in nearly all of the greatest cities, and that the historic reasons formerly urged in support of the idea have largely disappeared.

Originally the upper house of the legislature, both in Europe and in New York, was distinctly a class institution, designed to protect a well-defined property interest against a radical unpropertied numerical majority. The English House of Lords represented the landed interests of England. So the first senate of New York, under the constitution of 1777, represented the landed proprietors, as none but freeholders could sit in that body or vote for members of that body. Likewise, in some other states distinction was first made between the upper and lower houses on the basis of property or taxation, and it was everywhere contended by the defenders of the system that if both houses were elected by voters possessing the same qualifications, all grounds for the existence of the second chamber would disappear. Although, in the early years of the republic, legislatures and conventions of delegates yielded to the increasing demands for an electorate in which there were no class distinctions and swept them away, the bicameral system was nevertheless retained.

It is a significant fact that about the time the check of a distinct electorate for the senate was removed, the practice of protecting the rights of minorities against popular will by means of judicial control developed with extraordinary rapidity. To the judicial control exercised over legislation by the state courts, was added the control of the federal courts, particularly after the enactment of the fourteenth amendment to the Constitution of the United States which, by prohibiting states to deprive any person of life, liberty or property without due process of law, established positive standards for the protection of individual rights against state legislatures throughout the whole American empire.

While these changes affecting the position of the state legislatures were taking place, a third development was exercising a profound influence on the working of the bicameral principle, namely, the growth of strong party organizations capable of controlling, when in power, both houses of the legislature and rendering the idea of the houses checking each other practically obsolete. A thorough study of the operations of the New York legislature recently made by a capable observer shows pretty conclusively the failure of the check and balance principle in actual practice when the same party controls both houses. The useless and irritating friction which occurs when the two houses are in the possession of opposing parties needs no description here.

VII Relations of the Executive and the Legislature

In approaching the historic subject of the separation of powers the Bureau does not break with the traditional American system. It points out that some of the important elements of executive leadership are now embodied in our state constitutions.

In the first place, the governor is instructed to

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recommend to the legislature any measures that he sees fit. Obviously the duty of studying public policies and administrative methods is thus laid upon the governor with a view to his formulating positive recommendations. By this very act the governor assumes before the public a marked responsibility which ought not to be discharged by any mere perfunctory address to the legislature—a responsibility which if properly assumed, fortified, and executed, would make the governor the official leader in the definition of issues for presentation to the electorate.

No less important than this power of recommending measures to the legislature is that of calling an extraordinary session which is restricted in its deliberations to the measures submitted by the governor. It is unnecessary to cite historic examples of the exercise of this power by governors of capacity for leadership. Here, at all events, the constitution clearly implies that the governor shall assume the initiative in defining the issues for legislative action.

What is lacking in this arrangement, says the Bureau, are the means for making this leadership effective and responsible. The governor may recommend measures, but he is not compelled to defend them personally under a running fire of legislative criticism. He is not given an opportunity to explain them and meet legislative opposition face to face. If his measures are defeated he cannot appeal at once from the legislature to the court of last resort—the voters—for a decision on the issues thus raised and defined.

The obvious implications of this criticism are the admission of the governor and his cabinet to the floor of the legislature and the grant to him of the power to dissolve the legislature and go to the voters in case of a deadlock.

The Bureau does not shrink from this vital conclusion. On the contrary, it contends that such a procedure is necessary to the realization of the separation of powers in practice. Experience has shown that where the executive is allowed to meet with the representative body, submit and defend his proposals, the principle of the separation of powers is preserved, and that where provision is not made for this procedure there has been constant invasion of the administrative field by the legislature and of the legislative function by the executive.

> The power to propose, explain, and defend does not convey any power to enact. The power to question and criticize an executive officer is not an executive power but a legitimate legislative function. The practice of admitting the executive officers to the legislature only emphasizes the separation of powers and makes it really effective. It makes unnecessary those subterranean relations between the two branches which inevitably spring up when official lines of communication are forbidden. Under such a system the executive can really and effectively criticize the legislature and the legislature can force the executive to give an account of his conduct in office every day in the year. Without such administrative measures the constitutional inhibitions to prevent autocracy (the provisions requiring the executive to get authority from the legislature before he can proceed) give to the legislature the power gradually to supplant the executive in the field of administration as it has done in this country.
>
> Certainly it must be admitted that such a system is not so much a violation of the separation of powers as is the authority to veto acts of the legislature; yet this is employed without any means of gaining for the people the benefits of requiring both the executive and legislative to work in the open. Under present conditions the veto makes the governor responsible for legislation as well as for administration; and the denial of the right to the governor to formulate measures of administrative importance, to introduce and defend them, makes the legislature responsible for administration as well as for legislation. The result is the utmost confusion, instead of separation, of powers and responsibilities, as has been claimed.
>
> By adding to the power to propose measures and veto enactments, the right of introducing bills and defending them before the legislature, responsibility for both administration and legislation is definitized and made enforceable through appeals to public opinion. In the absence of such a procedure, unwise administrative measures are proposed by persons not responsible to the state at large for results and enacted into law without receiving the scrutiny of any officers charged with their enforcement. The only consideration that can now be given to such measures is in committee. Those which are enacted into law are usually enacted as the result of arrangements among members who are not openly responsible to the legislature, to say nothing of the state at large, and who work often in conjunction with those wholly unofficial persons that make it a business to organize the votes of localities favored by the legislation in hand to build up a system of patronage through the appropriations, contracts, and independent administrative functionaries of the state.

It is in dealing with those relations of the executive and the legislature which spring from the appropriation of money and the administration of finances that the Bureau is most trenchant and effective. Its bill of indictments includes the following counts:

1. The common constitutional provision to the effect that the governor shall or may submit estimates of revenues and expenditures is now futile beyond description. No machinery is provided whereby the governor may secure the highly complex data required for a scientific statement of public finances, and apparently no governor has ever acted upon this constitutional authorization and submitted to the legislature a genuine budget.

2. Such action, even if taken by the governor, would be useless as long as the legislature has the power to increase as well as diminish the items in the executive estimates under the good old system of "pork-barrel" and "log-rolling" politics.

3. The practice of allowing the governor to veto items in appropriation bills gives the executive great authority without responsibility. "The power operates as a check on an irresponsible legislature. It does not cure irresponsibility. It does not supply leadership; it does put into the hands of the gov-

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ernor the right to punish his political enemies by using the pruning knife where he will on the plea of economy. The power is not constructive, but may be made highly destructive. It transfers from the legislative committee room to the executive chamber all the pressure that has been brought to bear in furtherance of the plans of an irresponsible 'boss.' It simply invites another dark-room proceeding, instead of having the business of the state done in the open, in the face of the 'opposition.'"

This is particularly true in view of the fact that the legislature has usually adjourned before the governor begins the serious pruning process, and there is no opportunity to challenge even his boldest operations. The log-rolling members of the legislature are invited to do their worst in catering to the local clamor for public plunder—thus contributing to the perpetuation of that odious feature of American politics—and then "put it up to the governor" to save the day. The governor, on his part, is usually unaware of the proper considerations which led to the insertion of some items and is quite as often uninformed about most of the items. He wades into appropriation measures, knowing that he will not be subjected to any review or held to any accountability for mistakes.

In summarizing its criticism, the Bureau says:

> The constitutional relations now established between the executive and the legislature have been successful in producing innumerable fruitless conflicts, with an occasional good result as an accidental by-product. They are not of such a character as to enable either branch of the government to bring any issue to a positive outcome. The executive has large negative responsibilities in finance, but no positive authority commensurate with them. The legislature on the other hand can constantly interfere with the minutest details of administration without assuming any open responsibility for its success. The two departments may wrangle for months over the highly important question of which one has the support of the people without any chance being given to the voters to decide what only they can decide. In this tangle of contradictions all consistency and harmony would entirely disappear if it were not for the unofficial leader who holds the disjoined machine together by methods all his own.

The implication of this criticism as far as it relates to finances is that the governor should be required to submit a genuine budget to the consideration of the legislature, and that the legislature, while having a free hand to reduce and strike out items, should have no power to increase them—particularly those which relate to administrative as distinct from legislative and judicial appropriations.

VIII Administrative Organization

More than one-half of the Bureau's report is devoted to what is ordinarily called the administrative branch of the government—to an examination and criticism of the present organization of offices, boards, and commissions for carrying on the work of the state. This part of the work in so far as it deals with the minute details of distribution of functions will be of interest mainly to the student of administrative law and to specialists interested in finance, health, labor, charities and corrections, public works and so forth. They will find here a mine of information.

There are, however, a few general phases of this subject which are related to the larger problem of government as viewed from the standpoint of democracy, responsibility, and efficiency. In the first place, the Bureau urges strongly the establishment of the office of an independent auditor or comptroller, to be chosen by popular vote or perhaps by the legislature, and the equipment of this office with all the technical machinery for the purpose of maintaining constant scrutiny of public funds. The main criticism which the Bureau brings against the system now prevailing in New York is that the legislature does not preserve the real integrity of the auditor's office, fails to provide adequate machinery, and then overburdens and confuses it by imposing upon it a large number of other duties which are not immediately connected with the vital work of review and scrutiny.

In the second place the Bureau criticizes the present failure to distinguish between what may be called, for the want of a better term, the "proprietary" functions and the public service functions. The former have to do with what may be called the business side of public administration and the latter with the immediate service of the people.

No matter what services the state undertakes to perform, whether it veers in the direction of socialism or Manchesterism, it has certain fundamental business operations to perform. These are:

1. State financing or procuring funds such as:
   a. Assessing and equalizing the valuation of property for purposes of direct taxation.
   b. Fixing indirect revenue charges.
   c. Collecting revenues levied or charged according to law.
   d. Selling bonds and issuing other evidences of debt for funds, or refunding.
   e. Caring for funds and securities acquired.
   f. Disbursing funds in liquidation of debt and obligation incurred in making purchases.
2. Contracting for personal services.
3. Purchasing services other than personal, such as printing, advertising, transportation, materials, supplies and equipment and other properties.
4. Providing for the custody, the preservation and disposition of property of the state while not in use, and a method for determining whether properties are cared for while the users are to be held responsible.
5. Keeping the accounts needed to control the administration of funds and properties, and for the preparation of reports on assets, liabilities, revenues, expenses, surplus or deficit.
6. Providing for the preservation of official records and documents other than those in use by persons who are to be held responsible.

The commingling of these operations involving the raising and handling of funds, the purchase of supplies and the employment of large bodies of men with operations such as the regulation of railways,

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the inspection of factories, the supervision of hospitals, and other services rendered directly to the public, produces four main evils. It imposes upon the technical experts engaged in these services business responsibilities for which they are not specially fitted and which interfere with the proper discharge of their special public service duties. By offering opportunities for grafting, large and small, in connection with technical operations it invites political hacks to seek public service positions for which they have no technical qualifications and in which they have no interest except the pecuniary one. It so subdivides responsibility for fiscal accounting and supplies operations that adequate overhead control is impossible.

Finally, this vesting of "proprietary" functions in nearly every state officer leaves no one solely concerned with real financial responsibility. Each officer is naturally engaged in getting more appropriations for his particular department or public service, and no officer or group of officers is definitely responsible for fiscal and business operations. To repeat, each public service officer is constantly seeking to enlarge his service, and if all state officers, including the comptroller and treasurer, are engaged in rendering one kind or another of public service, there is no one solely concerned with cutting appropriations or holding public service officers to account.

By vesting other than fiscal and business functions in the secretary of state, the comptroller, and the treasurer, the governor is deprived of independent fiscal and business agencies. Under such a system he cannot be held responsible for checking waste, extravagance, and inefficiency.

> While it is readily accounted for historically, there is nothing in the annals of human affairs that is more unsound than the present organization of the state's business relations and activities. There is in it not a commendatory feature when considered from the viewpoint of requirements for "responsible" administration. The old saying that what is everybody's business is nobody's, would have ample justification if its sole use had been to characterize the constitutional and legal provisions for the management of the estate of that corporation which now spends upwards of $50,000,000 a year, and which is possessed of properties of ten times this value—known as the government of the state of New York. Essential defects in this part of the organization are responsible largely for the high cost of government—defects which will never be overcome so long as the technical requirements of proprietary management are lost sight of and the business of the state is left to a group of "political" tyros, each of whom may act independently of any central executive who may be made "responsible."

The implication of this criticism is that there should be created a staff of proprietary agencies to work immediately under the governor's eye at the problems of raising money, disbursing it, employing men and women for state work, and buying and guarding supplies and other property used by the state. Such agencies would include the treasurer, the secretary of state, the civil service commission, and central purchasing and store-keeping officers.

Clearly there is involved here the question of high centralization, but the Bureau does not propose to force centralization arbitrarily. It is fully aware of the fact that there are circumstances under which it is highly undesirable. It therefore takes such circumstances into account and formulates the following principles for general guidance:

> Before concrete appraisal of the existing organization for administration may be made, these general principles must be applied to the functional groups. When so applied the following conclusions may be drawn with respect to the question as to whether central control makes for efficiency:
>
> 1. There should be central executive or administrative control over the functions of money-raising whenever and to the extent that the same revenue-paying or money-lending constituency is to be dealt with.

Thus it is advantageous for the state to collect the automobile tax, whereas it is advantageous to have the local government collect the real estate tax. In each case one agency collects for all political jurisdictions, and renders an accounting. In Massachusetts, a central state bureau is maintained for administering the law governing city, county and town borrowing, since each must deal in the same market and each gains an advantage from the experience and better facilities offered by a central agency.

> 2. Central control over employment and improvement of the personnel of the public service should be established whenever and to whatever extent justice to a class of employees and individual efficiency may be promoted through the use of a common agency.

Whatever the arrangement for executive control over public service functions of the state—whether centralized or decentralized—it is an advantage both to the executive and the public which is served to provide a common agency for determining the fitness and qualification of persons seeking employment, for providing common labor conditions affecting promotions, transfers, discipline, health, compensation, sick leave, vacations, retirement pensions, etc.

> 3. The purchase and custody of supplies, equipment and properties should be centrally controlled wherever and to whatever extent better trading conditions can be established and equal or better facilities for distribution and use may be obtained.

Generally speaking, trade conditions may be established better through central executive control than where purchases are left to a great number and variety of related institutions and agencies. The exception is where the using agencies are widely scattered and the market is a nearby local one (as in the case of fresh vegetables); or where the transportation cost is more than the saving through better prices obtained. Not infrequently, however, the infrequency, the emergency, the irregularity of demand are such as to put the officer in charge of work at a disadvantage if he must rely on a central purchasing agency. The same principle holds good with custodianship. With respect to proprietors and equipment in use, only one treatment is possible—the user must also act as custodian. In each of these cases, however, it is of advantage to have central accounting and inspection control extend over the entire jurisdiction of the chief executive. When there is no chief executive, then the only central

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control practicable is through the independent auditor or some staff agency of the legislative body.

4. Central control over disbursements is advantageous whether operated under a centralized or decentralized system of administration.

There is the same reason for central control over disbursements as there is for central custodianship of funds. There is this added advantage, that the custodian and the persons making the payment should have no interest in either the public service functions or the other proprietary functions. This does not mean that the custodian and paymaster should be independent of the executive who is held responsible for doing things. On the contrary, assuming that there is an independent auditor, he should not be independent of the executive. This is a necessary part of proprietary functions. In case of labor it is also intimately related to management of the public service. There is every reason for making the treasurer a part of a commonly-controlled central executive organization; but he should be detached in his interest and operations.

5. Whether provision is made for a responsible chief executive over proprietary and service functions, or control is to be exercised through a number of independent executives, each service group should be under a common executive head.

There are some groups which bear such a close relation to each other that they may not be separated to advantage. The services organized for military protection constitute such a group. Cooperation between the different arms of the service is essential to efficiency. It is also desirable to have the military service under the same chief executive that is responsible for civil services, for the reason that lack of coordination may prove destructive to the government itself. It is only in case of military necessity that the war organization should be placed in charge of civil service functions, and in any case, except under conditions of revolution and overthrow of the existing government, it is desirable to maintain a separate organization under a common executive for carrying on the proprietary functions. An extension of this principle is one of the large questions now before the English government. The same question is before the federal government, and outside of military circles there are almost no differences of opinion.

IX Constructive Plan of Government

The Bureau's report to the Constitutional Convention Commission was by request critical rather than constructive, and it is apparent that many different devices might be employed to obviate the evils thus pointed out. Nevertheless the broad outlines of the system of government required to meet the standards set up by the Bureau would seem to be as follows:

I. Executive department with governor as the responsible head.

1. A staff of permanent technical advisers constantly engaged in the scrutiny and review of the officers engaged in administration.

2. A group of proprietary and legal officers in charge of the fiscal, property, and legal interests of the government.

3. A group of departmental heads in charge of the several public service divisions of the government, such as the labor department, the health department, the public works department, and so forth.

II. The legislature—presumably of one house, although this is not a necessary implication of the Bureau program.

1. A staff of permanent advisory agencies, such as the bill drafting commission and the commissioner charged with the duty of indexing the statutes.

2. The abolition or restriction of district representation and the adoption of some system of proportional representation.

3. The restriction of local legislation by city and county home rule, thus confining legislative operations to matters of large state-wide public interest.

III. Executive and legislative relations.

1. Power of the legislature to call the governor and his cabinet officers to the floor of the house and subject them to interpellations relative to administration.

2. Power of the governor and his cabinet officers to appear on the floor of the house to propose, defend, and explain their proposals.

3. Power and duty of the governor to prepare the appropriation bill for all administrative (as distinguished from legislative and judicial) purposes, and restriction of the legislature to the right of elimination and reduction of items.

4. Power of the governor to dissolve the legislature and submit the issues at stake to the voters at a general election in which a governor and legislature would be chosen.

IV. The organization of all administrative functions into a few related groups, each under a head appointed and removable by the governor and manned by experts protected against the spoils system and surrounded by conditions relative to pay, promotion, welfare, and discipline conductive to efficiency.

X The Constitutional Proposals of the Bureau

The application of the constructive principles implied in the report of the Bureau would of course require the working out of a complete state constitution, but the Bureau did not undertake this ambitious enterprise. It confined its general proposals to two leading measures which were developed in consultation with Hon. John G. Saxe, a member of the convention, and Mr. J. H. Delaney, former head of the late Department of Economy and Efficiency:

A proposal to reorganize the executive branch of the state government.

A proposal to provide a scientific budget system for the state.

The first of these measures will not satisfy the advocates of the short ballot. It is evidently a compromise, because it provides for three elective officers besides the governor: the lieutenant governor, the comptroller and the attorney general. It will be noted, however, that none of these officers is in fact an administrative officer in the strict sense of the word. The first of them is of doubtful necessity; the attorney general is a legal adviser, and the comptroller, when confined to his proper functions, is an auditor—a reviewing officer. All great branches of actual state administration, even with these concessions to the elective principle, are placed

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under officers appointed by the governor, with one exception—the commissioner of education—whose selection by the board of regents is left undisturbed.

The Bureau's proposal for executive organization does not leave the construction of administrative departments to the legislature, on the principle that executive leadership and the efficient conduct of public business are impossible as long as the legislature may at pleasure rip up and redistribute official functions. Accordingly the Bureau proposes that there shall be eleven grand departments:

1. Treasury.
2. Public works.
3. Agriculture and industry.
4. Health and safety.
5. Education.
6. Industrial relations.
7. Charities and corrections.
8. Public utilities.
9. Insurance and banking.
10. Civil service.
11. State militia.

This general classification of state administrative functions it is proposed to safeguard against ripper legislation by a provision to the effect that the legislature in creating new bureaus and offices shall assign them to one or another of these eleven departments. It is further provided that whenever it abolishes an office or bureau thus created it shall not transfer the powers and duties to a new office or bureau.

The heads of ten of the departments are to be appointed by the governor without the consent of the senate and they hold office at his pleasure. The bureau chiefs and other divisional heads are to be chosen by the respective departmental heads, and to have a tenure "terminable only by death, resignation, retirement for superannuation or other cause under provision of law, or by removal" at the hands of the appointing officer—a provision designed to safeguard the technical expert in charge of actual bureau administration.

The eleven department heads are to be organized into a governor's cabinet council to which are to be added the secretary of state and the director of the central bureau of administration—a staff of technical experts at the disposal of the governor for investigation, review and report. Thus all of the innumerable boards, commissions, departments and offices would be organized into a few groups according to related functions—each in charge of a political officer selected by and responsible to the governor. Collectively these department heads are to form the governor's advisory council—to which the governor may invite the attorney general and the comptroller. The secretary of state is to have, in addition to other duties, the duty of acting as head of the governor's cabinet.

Provision is to be made for keeping the governor informed on the state of public business through the bureau of administration, the director and staff of which "shall be detached from responsibility for execution and administration of public business and shall conduct such independent investigations and make such reports as the governor may direct."

The second of the main proposals laid before the convention by the Bureau deals with a scientific budget system and procedure.

1. It provides that "the regular administration appropriation bills, with estimates for annual expenditures for departments, bureaus, offices and commissions under the jurisdiction of the governor, shall be submitted to the legislature by the governor during the first week of the regular session." The governor's bills must be supported by detailed estimates showing the financial needs of the respective offices. Proposals for appropriations not included in the governor's bills must be submitted separately as private member bills and if passed are to be subject to executive veto.

2. "Upon receiving the administration appropriation bills," runs the proposal, "with estimates of annual expenditures, the legislature shall resolve itself into a committee of the whole house not less frequently than one day each week, at which time the governor and the executive heads of the departments under him may have the privilege of the floor to explain the estimates and items of appropriations requested, and to answer such questions as may be raised with respect to proposed items and proposed conditions to be attached to appropriations, which sessions or meetings of the legislature shall be public. When so sitting, votes shall be taken in the committee of the whole house on the amount requested for each department, bureau, office or commission separately; but no amendment to an administration appropriation bill or item may be offered by any member of either house except to reduce the amount thereof."

3. The third stage of the budget procedure is reached not later than sixty days after the beginning of the regular session, when "the governor shall submit to the legislature a budget which shall contain a financial plan for the next fiscal year supported by summary statements setting forth—(a) actual and estimated revenues and expenditures for a period beginning not less than two years prior to the period to be financed; (b) the present assets, liabilities, surplus and deficit, and the estimated financial condition of the state as of the beginning and the end of the period to be financed; (c) the present condition of funds and the estimated condition of appropriations and funds as of the beginning and the end of the period to be financed; (d) such revenue bills as are deemed necessary to meet financial needs and ratably and equitably to distribute the charges; (e) such measures for borrowing as may be deemed expedient; (f) a message in support of bills or measures submitted and explaining administrative financial proposals."

4. The final action of the legislature is on the complete budget presented by the governor: "Upon receiving from the governor the annual budget with any amendments which the governor may propose, and with amendments which may be proposed to members' appropriation bill, the assembly shall resolve itself into a committee of the whole house for the purpose of considering revenue and borrowing proposals, and shall take such further time in discussion of items and conditions attached to appropriations as may be determined.

"When administration bills for the appropriating or raising of money shall be reported from the committee of the whole house, they shall take precedence over all other measures and no new subject or item shall be appropriated for except by separate bill, which may be independently vetoed by the governor.

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"In case the legislature is unable to agree on an administration appropriation bill submitted by the governor, or as amended by him, before the beginning of the next fiscal year, the several established departments, bureaus, offices and commissions under the jurisdiction of the governor shall be authorized by executive order to expend public moneys at the same rate, in the same amount, and under the same conditions as were authorized for the concluding fiscal year.

"All appropriations for the legislature and for offices not under the jurisdiction of the governor shall originate in separate members' bills, and when passed shall be separately submitted to the governor."

XI Conclusion

At this time it is impossible to forecast the action of the convention on these remarkable proposals. Political considerations will have to be taken into account by those who frame the constitution. Even those who favor a thoroughgoing reorganization do not want to incur the risk of defeat at the polls.

There is high authority—one of the prominent delegates at Albany—for the statement that most of the leading members of the convention have given thoughtful consideration to the Bureau's program. The committee on finance and the committee on governor and other state officers have given every facility for its discussion. The general principles enunciated in it have been supported before the committees by such eminent men as ex-President Taft, President Lowell of Harvard, and President Goodnow of Johns Hopkins—as well as Dr. Cleveland, representing the Bureau. The important hearings before these committees constitute a significant event in the history of state constitution-making, and the Bureau of Municipal Research is rendering a distinct service to students of government and to the interested public by reprinting the addresses and colloquies in its monthly bulletin. ["State Budget Systems," to be secured from the Bureau of Municipal Research, 261 Broadway, for $1.00.]

Evidently these discussions have borne some fruit, for on August 4th it was announced that the committee on finance had reported favorably to the convention on a scientific budget system. On August 12, the committee on governor and other state officers reported in favor of a significant, though limited, reorganization of state administration.

While anxious to see results accomplished by the New York Constitutional Convention in 1915, the Bureau of Municipal Research realizes that it is really waging trench warfare on a time-honored system in which so many party considerations are involved. It regards the present operation as a single skirmish in a long campaign for an administrative reconstruction that will secure the approval of the friends of democracy and the friends of efficiency. By showing that efficiency can be established not by card indexes or systems of accounting, but by open official leadership held to responsibility by the electorate, and that democracy cannot hope to achieve great results in community enterprises without such efficiency, the Bureau has made a distinct contribution to American political thinking.

CHARLES A. BEARD.

August 14, Columbia University.

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The New
REPUBLIC

Votes for Women

Historical Woman Suffrage

Man and Woman.

THE average man prides himself on his self-control, his fine sanity, his reasonableness, and his respect for facts. He likes to think that his judgment is based in every case upon a solemn consideration of all the elements, that clarity of vision and soundness of understanding determine all of his decisions. Though unwilling to admit that many men have attained this high pinnacle of mental perfection, all of us shrink from facing the stern truth that our opinions are decided for us by our feelings, our prejudices, our scanty information, our unfathomable intuitions. Yet we are correctly informed by Mr. Justice Holmes, of the Supreme Court of the United States, that " general propositions do not decide concrete cases. The decision will depend upon a judgment or intuition more subtle than any articulate major premise." In arriving at a just view of the subject of woman suffrage, therefore, we are not dealing with a simple question in logic or argumentation, but with the emotions, prejudices, information, and misinformation by which are formed the judgments and intuitions that determine our conclusions.

Accordingly there are many ways into the citadel of every person's thinking. There are many methods of presenting the case of woman suffrage. Some advocates lay stress upon woman's intellectual and moral fitness for the ballot, upon her education and her civic interest. Others appeal to the instincts of humanity on grounds of simple, natural justice. Others call attention to woman's rights as a taxpayer, or to her need for protection as an industrial worker. Still others show how modern economic life requires the protection of woman's chief interest, the home, through wise laws and efficient administration. All these methods of approaching woman suffrage have their distinct advantages; they will doubtless continue to be pressed with ever increasing emphasis.

The long view.

Yet these arguments and appeals often fail to reach the pride of the male voter, who is conscious of his superior political authority and generally totally ignorant of how he came to hold it. He is thinking about the present moment, when women are appealing to him for the ballot and he has the power to grant or withhold it. He is mentally and morally in the position of the oldtime king seated upon his throne and looking down upon a crowd of suppliants. His firm assurance in his own wisdom and innate capacity to decide woman's political fate is not to be disturbed by any fine appeals or logical arguments. Under such circumstances, therefore, it seems wise to take the long view of woman suffrage—to view it not as a battle of wits, not as a temporary episode of current politics, but as a part of an age-long battle of the common mass of people upward from serfdom to freedom, a battle which began in a dim and dateless past and will continue as long as new hopes and new visions arise in the human mind. The long view compels us to inquire how government originated, and how it has evolved and changed from century to century down to our time. Such a view gives a balance of judgment, an urbanity of feeling, and a confidence in the ultimate victory of the woman which can never come from arguing the question merely with reference to any little space of time, such as yesterday, to-day, and to-morrow.

Could you have voted a hundred years ago in New York?

Perhaps the best way of opening this large historical question is to ask the imperial and royal voter of the state of New York in the year of grace 1915, whether he could have voted in all elections in New York one hundred years ago. If this question were put point blank to the million and a half of voters in this state, it is safe to say that nine-tenths of them could give no answer at all. If the same voters were asked to state in one hundred words, more or less, how they ever came to hold the high and mighty position which they now occupy, the same proportion—even more—would be completely dumfounded. Some of them would say that men got the ballot at the time of the Dec-

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laration of Independence or the landing of the Pilgrims, and some of the more educated, but no less ignorant, would doubtless refer to the "great principles of Magna Charta." If only those voters who could answer truthfully how and when and why the common man got the ballot were allowed to pass upon the merits of the question of woman suffrage, the pending constitutional amendment would be carried by an overwhelming majority.

There was a time when no man voted.

In taking the long view of woman suffrage we must start with the origin of the state. Government over a wide territory everywhere in Europe originated in the rule of one man—at first the leader of a conquering war band, then the king, then the anointed of the Lord. In those early days of government the mass of the people were rightless serfs and the king's will was law. "That which pleases the prince," said the old lawyers, "hath the force of law." Sometimes the king became too tyrannical and his nobles would cut off his head or force him to promise to respect their rights, as in 1215, but in ordinary times and for ordinary purposes, royal decrees were binding upon all subjects, great and small. All the governments of Europe, including that of England, from which the institutions of the United States are largely derived, were formerly absolute monarchies. Kings and princes made laws, imprisoned, hanged, or taxed their subjects almost without let or hindrance, and in those times the wise and learned wrote books to show how superior were kings and how excellent were the arrangements that kept subjects in obedience.

If we fix our attention upon England, we find William the Conqueror ruling there absolutely about the middle of the eleventh century. Then in 1215, the barons—a few score of men—seized the power of government and provided that they should not be taxed without their consent. A little later, about 1295, the small landlords and merchants in the towns were given a speaking voice in the government through representatives in Parliament. The barons formed the House of Lords and the smaller folk the House of Commons. The great mass of the people, however, the peasants in the fields, had no voice in the government. At the opening of the nineteenth century it was estimated that less than 150,000 voters ruled England.

The divine right.

Even after a few men were given a voice in the government they had a hard struggle to keep from losing it. In the seventeenth century the idea that kings ruled by divine right sprang into prominence. Writers declared that kings were originally appointed by God, and an English author attempted to make a genealogical table showing the descent of King James I straight down from Adam, the first man given authority in the earth. He was a bit mixed in his dates, but his purpose was clear. King James I held that he ruled by divine appointment, and he argued that Tom, Dick, Harry, and Will—merchants, tailors, butchers, bakers, and candlestick makers—could not understand the mysteries of state owing to the vulgar nature of their occupations. King James talked to his people very much as men opposed to woman suffrage talk to women to-day. But when Charles I called them ignorant and told them that government was none of their affair, his male subjects grew angry and finally cut off his head. In this unbecoming manner men put an end to divine right in England, and established the principle that those who had a certain amount of property or certain titles should share in the government.

Although the few who voted in England were sure that the king had no divine right, they were quite certain that they had a right to rule the non-voters—millions of men and all the women who were disfranchised. So the matter stood in that country until 1832, when after a great agitation which almost ended in a revolution, a large number of the lower middle classes were also admitted to the suffrage. But when the workingmen and peasants who were still disfranchised asked for the ballot, they were gravely informed that they were ignorant and had no business to meddle with government anyway.

Then practically all Englishmen secured the ballot.

The workingmen and the peasants refused to accept this as the final word, and kept up their agitation, sometimes in unseemly form such as riots, until most of the men were at length given the ballot in 1867 and 1884. Thus after a battle lasting for hundreds of years the common man in England secured the vote.

How about the United States?

But all this was in "tyrannical" England. Not so, my sovereign voter! At the time of the Declaration of Independence our American forefathers were busy making state constitutions, and everywhere they put qualifications on the right to vote and hold office. In some states Catholics and Jews were deprived of the ballot. In other states only Jews and Unitarians were excluded. Ex-President Taft, as a Unitarian, could not have voted in Delaware under the first constitution, which required a voter to believe in the Trinity. In one of the states belief in hell-fire was a prerequisite to voting, on the assumption that only fear of punishment and hope of rewards could make men straight in the polling places. In almost every state property

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qualifications were put on voting and office-holding. In New York only those who held land worth about $500 could vote for governor and senator, while a lower qualification was placed on voters for assemblymen. In Virginia only freeholders could vote. Under this plan in New York the people of the towns were subjected absolutely to the landholders, and they did not like it. It is estimated that more than half of the adult white males were excluded from the right to vote in the beginning of our government.

Votes for men.

A hundred years ago the cry was not votes for women, but votes for men. In New York petitions were prepared and speeches made showing the injustice of depriving the non-landholder of the right to vote, and if they had not been availing, more than nine-tenths of the voters in New York City would to-day be without the right to vote for governor and senators. In 1821 and 1826 the land qualifications were swept away. In Virginia the merchants, bankers, lawyers and other persons who did not happen to hold landed property prayed that the constitutional convention of 1829 would give them the ballot, saying, "Experience has but too clearly evinced what indeed reason had always foretold, by how frail a tenure they hold every other right, who are denied this, the highest prerogative of freemen." In Rhode Island the advocates of votes for men, defeated no less than ten times in their appeal for manhood suffrage, at last took desperate measures and started a revolution which frightened the imperious holders of the ballot into granting the suffrage to their brother men. But the same revolutionists said that women should not have the vote because it was not good for them or for the state—the very reason employed by the freeholders against giving the ballot to the male non-freeholders.

The good old arguments.

In this long battle of the common man, Jew or Gentile, Unitarian or Catholic, freeholder or non-freeholder, for a share in the government, every one of the arguments except the bearing-children argument now used against woman suffrage was used against the unfranchised men.

When King James I was trying to keep his subjects under, he said to them: "It is atheism and blasphemy to dispute what God can do . . . so it is presumption and high contempt in a subject to dispute what a king can do, or say that a king cannot do this or that; but rest in that which is the king's revealed will in his law . . . As ye see it manifest that the king is overlord of the whole land, so is he master over every person that inhabiteth the same."

When the working men of England sought the ballot, a writer declared in a pamphlet against them: "All workmen would then become politicians—they would neglect their vocations in life—spend their time, their strength, their talents in what would increase their poverty . . . The famous Chartist doctrine of equality is diametrically opposed to Nature and the word of God; it is a doctrine taught only by lying prophets—men who are of their father, the devil, for his works they do."

When the non-freeholders in New York sought the full suffrage in New York in 1821 they were told by a member of the state convention: "There is and must be in every great community a class of citizens who, destitute alike of property, of character, and of intelligence, neither contribute to the support of its institutions nor can be safely entrusted with the choice of its rulers." In the opinion of this speaker only those possessing land could be entrusted with the ballot.

Such illustrations of what passed for arguments against votes for men, in England and in the United States, could be multiplied by the hundreds. The bitterest things said about woman in the contest for the ballot could be duplicated ten times over in the old denunciations hurled against the common man—the present imperious voter to whom women must appeal. In other words, about one hundred years ago the gentlemen who in their superior wisdom now spurn the appeal of women, would have been in the position of suppliants and compelled to listen to such "arguments" against their appeal. Surely this should be illuminating to the cock-sure voter in the state of New York who knows that God and Nature have condemned women to a place of political servitude under his guidance.

Why women will win.

When we see the question of woman suffrage in its proper perspective as an inevitable product of growing democracy, as a part of that long battle of common humanity against superiorities, royal, feudal, and masculine, we begin to see a new light, we begin to see why it is that women in the long run are destined to win. The fatal error was made when they were taught to read and write and the gateways to knowledge were opened to them. It is now too late to turn back the hands on the clock. They will penetrate the "mysteries" of masculine government, just as the common man penetrated the "mysteries" of royal government. They know more now and are better prepared for the ballot by far than the common man was when he received it.

CHARLES A. BEARD.

From an address recently delivered in New York City.

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The Vote as a Symbol

ACCORDING to the arguments used both by advocates and antis, woman suffrage will wreck all our institutions; will leave us as badly off as we are now; will redeem the world; will make no noticeable difference in the home, the lives of women, the conduct of business, the care of children. The antis might score a very decent debating point against the suffragist by posing this dilemma: If the vote will change nothing, why work for it? If it will change everything, it is dangerous.

But this would be a debating point only. The truth of the matter seems to be that while the winning of the vote will itself change nothing very radically, it will register one of the greatest changes in the world. The mere right to mark a ballot for or against Whitman or Glynn is a small advance. Yet enlightened men and women will fight for it because it is a convenient symbol of a new outlook upon life and a new position in the world.

This is the real strength of suffragists. They need have no illusion that votes will bring about a quick regeneration in society. They have only to point out the enormous changes which machinery and education have brought to them. They live in a world which is a different world from that which conventional males and sheltered antis dangle before them. And because the world is different, it is impossible to amble along through it with platitudes about chivalry and protection and the grey hair of grandmothers and the sweetness of young wives. Those formulae do not express life as millions of women live it in the United States, A. D. 1915.

In their hearts the antis know this. Why the prophecies of perdition? They are nothing but the frightened knowledge that something immense is stirring in the world, that women are involved in modern industry, that girls come from school and college with new ambitions, that they talk differently, think differently, and desire differently, that they insist upon being heard, that they are dissatisfied with the old sexual approaches, that they are not content to be petted drudges, angels who do all the uninteresting work, or inferiors who listen to men with wide-eyed, trusting admiration. It is a revulsion against all that this implies which gives its real fire to the suffrage movement, which has sustained women in the depressing monotony of propaganda, and evoked a wider popular response than perhaps any political reform in history.

Women are working for open acknowledgment of an inner revolution. They are trying to publish and register the fact that they have changed in attitude, and that society welcomes the change. It is to them a question of their standing, a matter of prestige and recognized power. They desire the vote not because it will solve more than a part of their problems, but because winning it is a way of saying aloud to a democracy that women are in a new world, that they know it, and are preparing to deal with it. That is why they pour out their strength to achieve the ballot which most male voters use so poorly. If the average man were treated his life long as a child, a doll, an inferior, fenced in by prejudices, not listened to in affairs that concern him, and regarded generally as a weak, pleasant, casually important creature of holidays and evenings and imagery, he too would look about for some symbol by which to proclaim his human value to the world. Women have fastened on the vote and made it the test. That is why it has gathered a significance beyond anything that any specific political reform can achieve.

There is no women's program. Women disagree as to what shall be their relation to industry, to their husbands, to their children; but they are coming to agree on a determination that they shall be listened to in an altogether new frame of mind while making their adjustments. They are fighting the indirectness of feminine method, of the cajoling, exploiting, parasitic woman; they are fighting condescension, superior airs, and the chivalry which so badly conceals the ordinary reaction to anything female. They are humiliated by the expectancy of males, by the obvious restlessness which intrudes upon their business and social relations with men. They feel degraded by the competition of women among themselves, by the intrigue of idle women, by the bad economic habits of women, by the servile psychology which dominates their lives. They want something cleaner, something less furtively genteel, something that has shaken itself free from the everlasting tingle and preoccupation of sex. They feel that only by entering into the larger circles of human experience can they get a direct perspective on their relations to love and men and children.

In the old-fashioned relationship of men and women sex is pervasive. It dictates dress, speech, opinions, interests; if there is a common interest, it is a flirtation, a duel, a chase, full of double meanings and half-communicated intentions. It never travels far from its sexual base. Much gaiety and finesse are associated with it, and I suppose the greater part of the happiness which men have snatched from a disorganized world. But at the same time it has thwarted and stunted and impover-

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ished human relationships, and it is extolled only because people have not had the imagination to see what life might be in a ventilated society.

At bottom the struggle might almost be described as an effort to alter the tone of people's voices and the look in their eyes. But that means an infinitely greater change, a change in the initial prejudice with which men and women react towards each other and the world. In some ways the change is too subtle for expression, but modern men and women recognize it, and know that in this spiritual emancipation lies the hope of finding answers to the more obvious problems of women's position. Thought will not flow freely and inventively so long as it runs in the narrow channels of the older tradition. It is a matter of reacting in a fresher way, of fingering the issues directly instead of leering and smirking and giggling over them.

This change women cannot bring about by being nice girls, dancing well, dressing well, becoming adept in small talk, marrying an honest man, supervising a servant, and seeing that the baby is clean, healthy and polite. They have to take part in the wider affairs of life. Their demand for the vote expresses that aspiration. Their winning of it would be a sign that men were civilized enough to understand the aspiration.

WALTER LIPPMANN.

The Obligation of the Vote

UNDERLYING much of the opposition to votes for women on the part of the average man is an instinctive suspicion that the agitation in its favor derives from a cultivated feeling of antagonism between the sexes. The suspicion has some measure of justification. In so far as women as a sex have any grievances against men as a sex, the agitation for the political enfranchisement of women is bound to bring to the surface a certain amount of conscious hostility. These grievances have naturally been expressed, emphasized, and sometimes over-emphasized by women suffragists. Their expression will and should continue as long as the great majority of men remain blind or indifferent to the shocking evils of the social problem in its sexual aspect. At a time when all their other delinquencies are coming home to roost, men cannot expect to escape payment on the debts incurred by their long and extravagant career of sexual irregularity.

The net ultimate effect of votes for women will not, however, be the reflection and perpetuation of antagonism between the sexes. If the cultivation of such a feeling were to be the dominant tendency of the movement, men would have good reason for regarding it with suspicion. The enfranchisement of women will, as a matter of fact, have the opposite effect of adding something which is now lacking in the association between men and women. It will add to the bonds of passion and affection the bond of a joint responsibility for the political welfare of society and a joint effort to redeem it.

The importance of associating men and women for the fulfillment of political responsibilities is sometimes underestimated by the suffragists themselves. They are naturally very much more alive to the precious advantages which women will derive from associating in political work with other women —in the better understanding among themselves and the diminishing dependence on men which will result from such association. But women who are accustomed to associate with other women for the attainment of disinterested political objects will be better able to associate on the same plane with men. The necessity of such association as a consequence of the fruitful exercise of the suffrage is one of the strongest arguments in its favor. The opportunity and the inducement to work together on behalf of public causes constitutes an indispensable and an increasingly powerful bond among the members of a modern industrial community.

Unless opportunity for political association is provided, the relation between men and women will suffer from the disintegrating effect of contemporary social and economic life. Women have already been enfranchised to a considerable extent as industrial workers. In the future they will assume a larger rather than a smaller part of the industrial as compared with the domestic work of the world. If political enfranchisement is not added to this industrial enfranchisement, women will be driven to seek other than political remedies for their grievances, whether as women or as wage-earners, and to adopt other than political methods for the accomplishment of their common purposes. They will be forced to become in one way or another militant. But if the opportunity for joint political work is provided, men and women will be in some measure induced to seek political remedies for all kinds of social grievances. Universal suffrage for adults would constitute an official recognition that the bond established by a joint political responsibility for social welfare was deeper than any differences not only of wealth, class or education, but of sex.

The male voter is under obligation to grant votes to women, partly because universal suffrage is in-

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dispensable to the public acknowledgment of the peculiar importance of political responsibility in a modern social democracy. The mass of men cannot with impunity separate their political interests from the mass of women. The persistent denial of votes to women would be the expression of a lack of confidence in human nature of both sexes and in the high promise for a democracy of comprehensive political obligations and specific activities. Opposition to woman suffrage is the expression, although not always the conscious expression, of an attitude towards the franchise which places a very cheap value on adult male suffrage. Advocacy of votes for women is the expression, although not always the conscious expression, of an attitude towards the franchise which will help to make votes for men additionally fruitful. Votes for all men and votes for all women will in the long run stand or fall and increase or diminish together. Both are questionable for much the same reasons. Both will be dependent for their success upon the organization of a really democratic representative system and upon the exercise of the same political virtues of inquisitiveness, mutual helpfulness, sympathy and courageous faith. A democracy of men must always pay for its failure to grant the vote to women by attaching an impoverished significance to votes for men. A sincere democracy will seek to fasten an ethical and social importance to all voting, wholly independent of the sex of the voter.

II

In order to understand the value which should be attached to votes both for men and women, we must make a short excursion into the region of political theory. Mr. Walter James Shepard, in an address delivered some years ago before the Political Science Association, distinguished five different conceptions of the suffrage. The first two of these scarcely concern us here. They are conceptions which flourished during classic and mediæval times. A man voted in the Greek city or state as the consequence of being a citizen. The suffrage was limited because the right of a citizen was limited to male heads of families. During the Middle Ages, on the other hand, the privilege of voting was usually connected with the possession of land. Men and sometimes women voted, because voting was the attribute of a certain status—such as that of burgess, a taxpayer, a pot-wolloper, or a forty-shilling freeholder. There are many traces left to-day of these primitive tribal and privileged theories of voting; but they do not assume much importance in modern discussions of the suffrage. The two conceptions which dominate current political thought are those which make the exercise of the suffrage either an abstract right or a governmental function.

The theory of the suffrage as an abstract right furnishes such an impregnable argument in favor of the suffrage for women that it has always been popular with suffragist agitators. But they should beware of it. The victory which they obtain by its use is too easy. The agitation for woman suffrage becomes identified with a political theory which inspires fanaticism and dogmatism among its advocates, but which pays for this fanatical devotion by the occupation of an exposed and vulnerable position. Opponents of woman suffrage can pretend to have disposed of the argument in its favor when they have demolished the theory of voting as an abstract right, which is not difficult to do. Any graduate student fresh from the political science department of a contemporary university can triumphantly perform the work of demolition. Abstract rights of any kind have ceased to command very much reverence. Such advocates as they have cling to them as buttresses of conservatism and are careful to exclude the suffrage from the sacred community. Realistic political thinkers prefer to conceive voting as neither a right nor a privilege, but merely as a governmental office. The elector is fundamentally a public official. The law imposes certain qualifications of age, residence and the like upon him, just as it imposes certain similar qualifications on a Senator. What those qualifications are should be determined exclusively by considerations of public welfare.

The conception of the elector as a public official who must be specifically qualified to vote meets with general approval. Our difficulties begin as soon as we attempt to define the nature of the qualifications. Superficially such a theory of the suffrage justifies the imposition of rigorous censorship. Precisely this inference was derived from it when it was first clearly developed by the French doctrinaires. Inasmuch as an elector had to be selected by law rather than by the conscious choice of other men, and as the success of representative institutions depended upon placing intelligent and public-spirited people in the office of elector, the law should exclude people who were likely to be unintelligent or to be devoid of public spirit. Such people could not be excluded entirely, but their number could be very much diminished by the establishment of educational or property qualifications.

In spite of the general acceptance of the theory of the suffrage as a public office for which qualifications were desirable, the number of people all over the world to whom the suffrage is granted has been steadily increasing. Almost all modern countries with representative institutions have established adult male suffrage. The question is, how can such an indiscriminate extension of the suffrage be justified from the point of view of the established theory. How did people ever expect to get properly quali-

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fied voters by diluting the vote? The answer usually is that many of them did not. The ruling class submitted to an extension of the suffrage not with any expectation of obtaining a better electorate, but for the purpose of allaying discontent. The extension of the suffrage was an evil rather than a good, but it was the less of two evils. According to Mr. Henry L. Stimson, the suffrage was extended to all classes of men in the State of New York because "the general contentment to be derived from having all classes in the community share directly in the government would outweigh the certain impairment in efficiency which would come from the participation therein of an increased mass of voters untrained to concerted and effective action." Better an inefficient government and a contented citizenry than an efficient government and a discontented citizenry.

Thus even if the electorate is conceived as a collection of government officers who need to be qualified for their job, it may not be expedient to insist on very high or very special qualifications. It is more important that the voters should be numerous, contented and incapable, than few and highly capable. Discontent which cannot obtain a political expression is so much of a danger to the state that it should be allayed even if as a consequence the government does not in other respects work so well. According to this view the broadening of the suffrage helps to unify the different social classes. The unity is obtained by reducing the fit and the unfit to a common denominator, but those citizens better qualified for political work can serve the state in other offices than merely that of voter. The common denominator is the expression of common political responsibility.

The foregoing statement of the reasons for allowing men to vote, no matter whether they are especially qualified or not, is wholly inadequate; but inadequate as it is, it assuredly justifies votes for all women no less than votes for all men. Women, like men, vary considerably in their natural and acquired qualifications as voters. If specially qualified men are allowed to vote, whereas especially qualified women are not, the discrimination against women may conceivably be justified, but as soon as the suffrage is extended to the mass of men, any discrimination against women as women becomes too absurd. Manifestly many women are much better qualified to hold the office of voter than are the majority of men. If they are deprived of the vote, which the majority of men are not, their deprivation cannot be based upon the accepted theory of voting. It can be based only on the idea that whereas men can for political purposes be divided into more or less qualified groups and classes, women must all be lumped together merely as women. They belong primarily to a sex. No amount of intelligence, public spirit or political efficiency can overcome the fatal disqualification of womanhood.

In point of fact men condemn women to political incompetency, not because they can find any good reason for so doing, but merely because a large enough body of women have not as yet protested with sufficient vigor against the condemnation. Just as soon as the disfranchisement of women results in as effective an agitation as did the disfranchisement of less educated or less propertied men, it will be discovered that the general contentment to be derived from having both sexes in the community share directly in the government will outweigh the certain impairment in efficiency which will come from participation of an increased mass of voters "untrained to concerted and effective action."

It is chiefly a question of making the male rulers sufficiently uneasy, and of arousing them as the result of their uneasiness, to take a more enlightened view of the suffrage. They are not bestowing on women a precious privilege. They are implicitly withdrawing from women the right of being politically irresponsible and socially protected. They are asking women to share the anxious burden of government. They are asking women to put on a uniform and commit themselves to political good behavior. No wonder some women shrink from the responsibility; but if they shrink, it is not a matter for self-congratulation. They are refusing to qualify for a share in that part of the labor of social regeneration which must be accomplished through political action. Women will obtain political power at the time when it has ceased to be an opportunity for aggrandizement or satisfaction and has become chiefly an opportunity for public service. During the last few thousand years the ruling class have extracted the sweetness from the work of government. The remaining public business which they are kindly passing on to the democracy consists chiefly of untiring and unselfish work on behalf of better social conditions. The male voters in a modern democracy, instead of grudgingly, churlishly and condescendingly conferring the vote on women, would, if they really understood, fall on their knees and beg their mothers, their wives and their daughters to help them carry the common burden.

III

The extension of the suffrage to millions of men and women who have not been trained to concerted political action should not be conceived as a necessary but unfortunate compromise—as a mere safety-valve against militant discontent. It cannot be so conceived by anybody to whom the state has become not primarily an engine of government or an instrument of public business, but as a great experi-

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ment in comprehensive coöperative organization. The inferences one draws from the theory of the vote as a government office will ultimately depend upon one's conception of the government itself—its limitations, its functions and its undeveloped opportunities.

The opponents of votes for women tend to conceive government as the embodiment of authoritative force. "Government," said Elihu Root in an anti-suffrage speech delivered in 1894, "is protection. The whole science of government is the science of protecting life and liberty and the pursuit of happiness, of protecting our person, our property, our homes, our wives and our children against foreign aggression, against civil dissensions, against mobs and riots, against crime and disorder." Throughout the greatest part of human history the art of government has been the art of protecting those who profited from property and peace against those who wanted to destroy or appropriate these precious possessions. In so far as the negative benefit of protection continues to be the primary object of political organization and policy, the extension of the suffrage to the great mass of women can be no more justified than it can be to the great mass of men. Political power should in that case be concentrated in the hands of those who have possessions and interests to protect, and who are capable ultimately of using force for their protection. The voter would be potentially a soldier. No sex or class could qualify for political power unless they had something substantial to safeguard and were willing ultimately to fight for what they had.

If the art of government continued to be the art of organizing protection for the possessors of material and moral goods against domestic and foreign marauders, votes for women would be a disastrous error, but it would be an error to which the whole social democratic movement would be condemned. An essential object of social democracy is the distribution of the goods which men have been fighting to protect throughout the whole community. It seeks to safeguard property, not by elaborating its legal and police protection, but by bestowing on the people the opportunity to possess it, the competence to create it, and the interest, if necessary, to defend it. Thus social democracy implies a positive rather than a negative object of political organization and policy. It requires of the state to provide against external aggression and internal disorder; incidentally by the relief of grievances, but ultimately by conscious systematic attempts to bring about a wide popular distribution of the funds of civilization. It looks toward a commonwealth whose citizens shall not be competing for large possessions and then fighting to keep them, but in which they shall be coöperating to produce an abundant product for general social use and to help all the coöperators to secure the material conditions of a free and generous life.

If such a commonwealth were actually in existence and the social labor involved by it was being carried on by the women as well as the men, probably everyone would agree that its electorate should include both all grown-up women and all grown-up men. Unless universal suffrage prevailed, political power would not be commensurate with economic and social responsibility and achievement. According to any prevailing theory of voting, all adults would be qualified to vote. But even those who believe most devoutly in the coöperative commonwealth may admit that social labor at the present time often brings with it, both on the part of the wage-earner and the employer, only a meagre sense of political obligation, and that on the whole the political ability of women and their sense of political obligation is even more meagre than that of men. How can universal suffrage be justified in a society which is passing from a capitalistic to a democratic basis, in which the coöperative idea is only just emerging, in which the negative object of protection must frequently be allowed to keep its former ascendancy, and in which the mass of voters, whether men or women, cannot as yet be expected to cast their ballots with any sufficient sense of public responsibility?

That it can be justified ultimately as a mere precaution against discontent is wholly inconceivable. If the net result of universal suffrage is a condition of popular contentment purchased by the loss of political capability, democracies will not survive in competition with nations to whom the same degree of self-government is denied but who are more efficiently organized. A relatively inefficient government would make as many mistakes in allaying popular grievances as it would in organizing necessary national services. The one sufficient justification for granting the vote to both men and women prior to the more general distribution of economic independence, mental alertness and social sympathy and aspiration, is the expectation that the vote itself will help to educate the voter in the essentials of democratic citizenship.

The great essential of democratic citizenship consists in a certain attitude of mind towards the state —a resolute disposition to seek the realization of social objects partly through the agency of political methods, a frank confidence in the good faith of the political establishment. The best chance which the state has to engage the attention, command the services and secure the willing support of its citizens is to make them part of the electorate. They will never rise to the level of their necessary political obligations unless their sense of responsibility is

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stimulated by a generous opportunity to act upon it. They cannot be prepared for the vote except by practice in voting.

There are, to be sure, people who argue that the best way to prepare women for political life is to prevent them in any real sense from participating in political life. Ex-President Taft has recently given a characteristically ingenuous expression to this opinion. He has no theoretical scruples against votes for women, as has Mr. Root. He affects to believe that eventually they will be and should be allowed to vote. But he would deny the suffrage to them until they have obtained more education and experience in public affairs. He says: "The longer the extension of the franchise to woman waits, the better they will be prepared for it and the more good and the less harm it will do." He might as well have said: "The longer a man is made to wait for dinner the better prepared he will be for it and the more good it will do him." Women are to be trained for political responsibility by being deprived of the most elementary political activities and opportunities. If they can be kept from voting for a sufficiently long time and subjected in the meantime to some artificial process of political instruction, such as lectures on constitutional law by eminent professors, they will not need any practice in voting to enable them to emerge as intelligent and responsible voters. Did Mr. Taft really mean it? As well expect women to swim without permitting them to go near the water; as well expect to find the best mothers among women who have never had children.

If women have received any political education hitherto, they have not obtained it from listening to disquisitions on the American political system, but by participating in actual political agitation and work. They can, of course, continue to participate in public work without exercising the suffrage, but as long as they are not allowed to vote, their absorbing public activity is bound to consist in agitation for the suffrage. Suffrage work is undoubtedly proving to be a most useful source of political education to many women, but it will not continue indefinitely to constitute a really desirable training. Indeed, the longer women are compelled unavailingly to agitate for the vote, the worse many women would be trained to use it as loyal and public-spirited citizens. They will be perverted by the exigencies of a discouraging and disconcerting fight against male inertia and obscurantism. Another generation of fruitless agitation would educate them not without excuse into revolutionary militancy.

Education is no longer conceived as primarily a matter of instruction and indoctrination. It is a matter of experience, acquired as the result of action directed towards a purpose. Mr. Taft would prepare women for the suffrage much as the average male reformer of a generation ago was prepared. It would be a classroom training which would leave its victims devoid of any sense of political realities. It might well help to cultivate the sensitiveness of the pupils' noses to unpleasant political odors. It might even help them to make better use of their eyes and ears in politics. But it would deprive their hands and legs of muscular energy and of general capability. They would never have acquired the habit of political movement, and without the power of movement there cannot be cultivation or discipline of a genuinely political will and feeling. They would be receiving a kind of training for the vote which would make Mr. Taft's quoted statement literally true. The longer women who had undergone a training of this kind were kept waiting in an indefinitely prolonged purgatory of preparation before admitting them into the community of the elect, the better it would be for society.

The attempts to base a justification for woman suffrage on a functional theory of voting has in point of fact resulted in a modification of the theory itself. It has resulted in a fifth conception of the suffrage which Mr. Shepard in the address already mentioned characterizes as "ethical"—a conception of the suffrage which considers it in relation not merely to the efficiency of the government but to the latent moral and civic worth of the individual citizen. Women as well as men need the vote because under contemporary conditions they cannot be deprived of the opportunity of political activity without conscious or unconscious personal impoverishment. The state needs to confer the vote on women because it cannot afford to submit to impoverish one-half of its adult citizenship by denying to women the very beginnings of a political status. The opportunity to vote is necessary to any effective combination between the moral values involved by private life and the moral values involved by the existence of a necessary public life. By putting men and women in uniform as electors the state officially recognizes that, being, like men, political animals, they would be stunted and warped by being deprived of the chance of political action.

Of course the practice of voting, like the practice of paddling around in shallow water or floundering around in deep water, does not necessarily turn out capable political swimmers. Its educational value depends largely upon the extent to which other agencies of political education are at work. It depends upon the kind of political goods which the voter has an opportunity of obtaining by the use of the vote. Its educational value is slight under a system of government organized chiefly to safeguard individual rights—as the American gov-

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ernment has been organized in the past. But its educational value may be considerable under a system of government organized to accomplish positive social purposes. For in that case the voter will be challenged to exert himself. He will have to vote for or against issues of the utmost importance, and he will be stirred to back up his decision by active political agitation. The vote is no more than the condition of educated political activity, but it is an essential condition. So far as it is withheld from any considerable proportion of adults, the community which holds back has not made a decent beginning towards the construction of a really democratic political edifice.

HERBERT CROLY.

An Eighteenth Century Feminist

IN 1664 Niels Klim, a Copenhagen doctor of philosophy, set out on a voyage of discovery which landed him in the most topsy-turvy of worlds. (Baron Holberg,* *Iter Subterraneum Nicolaii Klimii,* Copenhagen, 1741; English translation, London, 1747.) What was miraculous enough in itself, Niels Klim found a country that was well governed; a country in which the posts of honor were filled by the persons of ability; in which laws were adopted only after full consideration by the Senate and a popular referendum, and enforced rigorously when passed.

But the most amazing thing about this land of Potu was the fact that no political distinction was made between the sexes, and that, moreover, the women in public position as well as in private life took their domestic duties far more seriously than did those whom Niels Klim had known in polite circles in Norway. Thus the post of head of the national treasury was filled by a widow who

> ". . . tho' ingaged in the most arduous Affairs of the Kingdom, yet at the same time suckled an Infant she was deliver'd of soon after the Death of her Husband. This I thought was too troublesome and mean an Employment for so great a Matron. And upon my giving my Opinion, they reply'd in this Manner: The Quality of the Milk, and the Temper of the Nurse, go farther than we imagine, in forming the Disposition of the Infant. And Mothers who disdain to nourish their own Issue, dissolve one of the finest and strongest Ties of Nature."

Niels Klim was silenced, but not convinced: women deprived of political rights were within the order of nature; women with political rights, but approximating as nearly as possible to the mode of life of the male sex might be conceivable; but women retaining the most primitive attitudes of femininity, and yet participating in political affairs? It seemed to work well, but it was plainly contrary to nature. And in this view he was confirmed when his further travels brought him to a land where the feminine power had advanced to the point of the disfranchisement of the males.

> " In the Province of Cokleku there is a very perverse Custom, and such as would be highly condemn'd among us. The Order of Things is indeed inverted, but the Fault is not owing to Nature, but solely to the Laws. The Males alone perform the Drudgery of the Kitchen, and every such ignoble Labour. . . . The Females, on the other Hand, are in Possession of all Honours and Employments, sacred, civil, or military. I had lately derided the Potuans for observing no Difference of Sex in the Distribution of publick Offices; but that was nothing to the Phrenzy of this People. I could not conceive the Meaning of so much Indolence in the Males, who, tho' of so far superior Strength of Body, could yet so tamely submit to such a Yoke, and for Ages together digest such an Ignominy. But long and ancient Custom had so blinded them, that none even thought of attempting to remove such a Disgrace, but quietly believed it was Nature's Appointment, that the Government should be lodg'd in Female Hands, and that it was the Business of the other Sex to spin, to weave, to clean the House, and upon Occasion to take a Beating from their Wives. The Arguments, by which the Ladies justify'd this Custom were these: That as Nature had furnish'd the Males with greater Strength of Body, her Intention in that could only be to destine them to the more laborious and servile Duties of Life. Strangers are amaz'd when going into a House they see the Mistress of the Family in the Compting-House, with a Pen in her Hand, and her Books before her, and at the same Time find her Husband in the Kitchen scouring the Dishes.
>
> " Horrible were the Effects of this unnatural Custom. The Matrons and Virgins here, without the least Reproach, can prowl up and down, gaze at the young Fellows, nod, whistle, tip the Wink, pluck them by the Sleeve, importune them, write Love-Verses upon their Doors, boast of their Conquests. . . . Upon my leaving the City, I told several that this Province acted in downright Contradiction to Nature, since from the universal Voice and Consent of Nations it was evident, that the Males alone were form'd for all the arduous and important Affairs of Life. To this they reply'd, that I confounded Custom with Nature, since the Weakness we impute to the Female Sex is deriv'd solely from Education. . . . For among them Women are grave, prudent, constant and secret. The Men, on the contrary, are light, empty, frothy Creatures. Hence, when any Thing absurd is related, the common Saying is, ' That's a manly Trifle.' Again, when any Thing is done rashly and unthinkingly, the proverb is, ' We must make Allowances for manly Weakness.' "

On his return to Potu, Niels Klim resolved to

[* Baron Holberg (1684–1754) was a Danish historian, political scientist and dramatist, who disputed with Voltaire the claim to intellectual primacy in the eighteenth century. His writings produced a complete revolution in Scandinavian literature, and their influence upon Scandinavian thought still remains potent. It will be noted that Baron Holberg's feminism is in close harmony with that prevailing in Scandinavia today. The fact is interesting as indicating that recent progress toward emancipitating the women of Scandinavia from political disabilities is the result of a current of popular thought which has been gradually gaining head through the centuries.]

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propose a constitutional amendment to exclude women forever from the public affairs of that nation,

> "that Sex being naturally ambitious, still aiming to extend their Power, nor ever resting till they have acquir'd a full and absolute Authority. I flattered myself I should find Multitudes to abet and espouse this Point, since it was an easy Matter to make it very clear, and to shew beyond Contradiction, the Misfortunes that flow from this Defect in the State, and the Danger the Male Sex was in unless the Wings of such an unnatural Power were timely clipt."

According to the customs of Potu, anyone proposing a constitutional amendment was forced to appear before the Senate with a halter around his neck and defend his project. If his words carried conviction, he was escorted to his home by Senate and people, and accorded the highest honors of state. If his project appeared to be futile or dangerous he was hanged forthwith. Believing that his case was unimpeachable, Niels Klim accepted the customary conditions and appeared before the Senate with his anti-feminism project. After due deliberation the Senate recorded its opinion

> "that it is absurd and unjust intirely to exclude Persons of the finest Talents from publick Honours, especially as Nature, who does nothing in vain, can never be suppos'd to have given them all those noble Advantages to no Purpose. We are persuaded that, for the Welfare of the State, Regard ought to be had not to the Name, but to the Abilities of a Person. And, as a Country may often labour under a Want of able Persons, we think it a great Folly, to render one intire Half of the Nation incapable and unworthy of Employment, solely upon Account of their Birth."

Accordingly the proposed amendment was rejected, and Niels Klim was ordered to be hanged. But the sovereign decided, in view of the culprit's perverse education and congenital feebleness of intellect, to commute the sentence to banishment to the Land of the Apes.

A. S. J.

The Two Sides of the Vote

IF a man is to walk with any comfort he must be able to use both legs. The case for woman suffrage has a similar requirement. Woman suffrage is not a simple issue. It is a compound issue. It is the result of an interplay, a coördination of faith in suffrage and faith in woman. Opposition to it does not prove a reactionary mind. It may merely indicate, from the suffragist standpoint, a mental one-leggedness. Failure to believe in it is in some cases sheer paralysis, but in most cases it is only an inability to use both legs together.

Take, for example, the person who has grave doubts as to manhood suffrage itself. It is often a woman, but suppose it is a man. Before you can convince him as to woman suffrage you must begin by convincing him as to suffrage. He may have no crippling prejudices as to womankind. The question of woman's differences, woman's inferiority, woman's supposed periodic abnormality, may not give him the slightest trouble. If you pried open his heart you would not find engraved thereon: "Frailty, thy name is woman." But to labor with him as to woman's title to vote is to bring pressure at the wrong side of the valve. For he also disputes man's title to vote. Seeing life from some chilly altitude of his own, from the window of some club of the soul, he denies one prime assumption of the suffragist. He has not the use of his suffrage leg.

That conservatives like this, especially middle-aged men of the politico-legal mind and women of prestance and property, should be dismayed at the thought of an extended franchise creates a real difficulty for the suffrage propagandist. It can only be met, to my mind, by giving these conservatives a new conception of the vote. This is tedious. It would be pleasant if nothing needed to be done save to approximate woman's claims to man's. But the right conception as to woman's claims cannot join with a wrong conception as to man's claims. It is necessary to scrape off all the old calcimine in order to apply the new.

Instead of facing this tedium many suffragists have resorted to romance. They have professed immense confidence in the reformative powers of woman suffrage. They have sworn that when women get the vote there will be a new era. They have blinked all the discrepancies between ballot-promise and ballot-performance. They have wafted away all the legitimate doubts as to popular government. These, of course, are not substantial assertions. They are the generous and romantic illusions of courtship. But while imaginative persons would understand them, the conservatives take them legalistically and are further confirmed in their fears.

If millions of men have been tried with the suffrage and failed, why should it be extended to untried millions of women? That is the way it looks to the static-minded. They see society beset by a multitude of problems—problems domestic and international, problems of commerce and property, of education and welfare—and they are appalled at the complexity of life. If a popular electorate can

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choose a Sulzer or a Penrose in full view of these pressing exigencies, if Indiana and Ohio can show bedevilled ballot boxes, what hope is there in larger popular electorates? Will women, "silly and base" women, emotional women, inexperienced women, women of light and fluttering mind, do anything to improve this state? They conceive of society as a container in which the best of mankind rises to the top, leaving poor stuff at the broad base, and they shrink from the idea of taking out the partition between men and women and doubling the electorate in the proportions already so unsatisfactory.

This is a depressing vision and not altogether chimerical. It is impossible to deify any enfranchised democracy. It is impossible not to wonder at its frequent banality and idiocy in the selection of candidates. But the suffragist sees at least two major fallacies in this estimate. At one and the same time it exaggerates and minimizes the vote. It exaggerates its responsibilities. It minimizes its efficacy. And it does both because it conceives of citizenship in the light of mere two-party activity.

If the rigidity of political parties was final, the significance of votes added in due proportion would be pitifully slight. But what has been the effect even on party programs and platforms of amplifying the electorate? It has been vital, not mechanical; living, not dead. With greater inclusiveness in the electorate there follows a statecraft that includes greater issues. The selection of candidates is not the sole test of the value of suffrage. Voters determine issues as well as candidates, induce leaders as well as lend themselves to parasites. Those who believe these things, who have seen little ballots nibble away big limitations, who have seen weak units combine to effect powerful results, are not likely to underestimate the value of the vote. Its extension is not, indeed, a revision of the social system. The vote is only one instrument in that revision. But it is an instrument that will be as potential in the hands of women as it has proved potential in the hands of men. Those most undervalue it who balk at change out of habit, who cannot think themselves back to the inequities of the pre-franchise days.

But a man who feels few doubts as to liberal institutions may yet have all sorts of doubts as to the propriety of woman's political activity. He may have habits of differentiating between the sexes which render the idea of "woman" suffrage repugnant. He may shrink as instinctively from the notion of her being a voter as he shrinks from the notion of her being a bell-hop or a barber or a soldier or a toreador. Many women invite and share this delicacy. And neither they nor their men are quite candid as to its consequences. They do not realize that "what is limitation for one will is power for another."

This question as to what is proper or not for women is endless, and it is idle to attack it in detail. Who, after all, is woman? Is one thinking of Jane Addams or Cleopatra, Queen Victoria or Queen Elizabeth, Madame Curie or Circe? Phoebe Snow is one sort of girl, the Salamander another. Pavlowa is one sort of dancer, Little Egypt another. Marie-Odile is one sort of heroine, the Outcast another. When the blatant Congressman talks of Lovely Woman, to whom does he refer? On what "difference" is he dwelling? At the back of such minds, undoubtedly, there is The Woman, the woman of adolescent sex idealism. But such a creature is no more conceivable washing dishes than she is conceivable discussing politics. She is a moonshine girl, and no able-bodied creature of feminine gender would seek to resemble her who could see eye to eye with a completely candid man.

Suffrage will not unsex women. There will still be a place in life for all their aptitudes. There will still be mayonnaise and embroidered centrepieces. No one wants to reconstruct our domestic interiors on the lines of an all-male Plattsburg camp. But because the world changes functions change. The woman of today is not the same as the woman of the day before yesterday. It is her glory that her vitality is invincible and that her intelligence directs that vitality. She refuses to be considered the same. Whether she is economically free or the slave of a wage-slave, she is becoming more and more conscious of her power to live up to the modern possibilities of a larger life. There is a certain meanness in human nature which wishes the powerless to remain powerless, which inclines to suppress every sign of nascent power. With this meanness the intelligent woman is in competition. She is tired of her favored cowardice, her curtailed responsibilities. She is tired of being divorced from men in most of the interesting work in the world. Men may secretly believe that, though they entrust such essentials as primary education to women, women will be no more equal in politics than they are equal in science or for that matter in golf. But in private life, in the life of character and will and sympathy, the wise male pretends to no superiority.

This is the real basis of public equality between woman and man. The society in which woman is subordinated to church and children and kitchen is a dangerous society. It is a society in which masculinism may develop to untold hurt. That society may well be considered civilized, on the other hand, in which the women as well as the men are asking to be given their share.

FRANCIS HACKETT.

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The Effect on Labor

WOMAN'S suffrage is not a question that should be made to turn chiefly upon an abstract right inherent in manhood or in adulthood. It is long since the world became disillusioned of purely abstract rights. Nor can it be determined by reference to the adequacy or inadequacy of the feminine intelligence to raise the average quality of the voting population. The mental and moral differences of the sexes in their relation to political institutions offer a field for debate to be avoided by all who require working conclusions. And after all, the successive extensions of the suffrage that have taken place since the time when the monarch cast the whole vote have been motivated neither by principles of abstract right nor by considerations of improvement of the political power through the inclusion of superior elements. Instead, they have more often than not involved a lowering of the average intelligence of the electorate. So it was in our own early history, when the property qualifications for suffrage were removed. Exactly the same thing happened in England when the Reform Bill of 1832 broadened the basis of political power through the extension of the suffrage to great numbers of the so-called "lower classes." The enfranchisement of the freedmen after our Civil War is a striking case in point. Not even the most infuriate defender of the doctrine of race equality could have supposed that negro enfranchisement would at once raise the level of intelligence in American politics.

Extensions of the suffrage, by whatever arguments they have been defended, have almost invariably embodied the practical principle of representation of interests. In the early nineteenth century our property qualifications were not objectionable. Almost everyone owned property; those who did not might be expected sooner or later to acquire the status, if they were not socially and politically unfit. It was with the development of a permanent propertyless class with special interests to defend that the restrictions upon the suffrage became intolerable. The vote was extended to the British industrial classes in 1832 in order that they might protect their interests against the greed of the landlords. The ballot was placed in the hands of our negro freedmen in order that they might use it as an instrument to defend themselves against any tendencies toward their re-enslavement. The Uitlanders in the Transvaal demanded the suffrage —and brought on the Boer War when it was denied—solely to protect their practical interests. It is the same motive that underlies the persistent "one-man, one-vote" agitation in Germany and Belgium.

On all such extensions of the suffrage history has placed its approval. It may be taken as practically axiomatic that whenever the interests of any group in society detach themselves from the undifferentiated common interest, that group ought to enjoy political representation in the proportion of its numerical importance. It is in the fact of divergent class and group interests that the justification of manhood suffrage lies. And women's suffrage becomes a matter commanding the attention of practical reformers when it is made evident that there are large groups of women not adequately protected by manhood suffrage. If there are such interests, the extension of the suffrage to women is required by all the principles of democracy. We have to deal not with a question of abstract right, but with a question of vital interests.

We need not concern ourselves with the baffling problem whether there are general differences in interest rooting in the psychology of sex—whether, for example, women are likely to lay more stress on personal rights, men, on property rights; whether women are likely to vote a pacific policy, men a more warlike one. What challenges us at this point is the question whether there is an appreciable divergence of economic interest following sex lines. Such divergence hardly appeared in the simple rural environment in which the foundations of American political thinking were laid. A political policy that was to the advantage of the farmer was also to the advantage of the farmer's wife and daughters. There was no considerable number of women not attached to family units politically represented. And much the same thing is true of the middle class family of the contemporary city. The wife and daughters have no important economic interests differentiated from those of the husband and father. This statement may at first glance seem too sweeping, in view of the possible permutations of such institutions as marriage and divorce, the property rights of women, inheritance. But it cannot be said that American men have legislated on such matters in a spirit of sex partisanship.

Our political thinking takes its origin in the simple rural environment; its further development has been carried on chiefly amid the associations of the middle class. In both rural and middle-class circumstances the economic interests of women are an integral part of the undifferentiated family interest; hence the widely accepted view that the extension of the suffrage to women will amount

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to little more than the doubling of votes to be registered on either side of any specific political issue. What this view fails to take into account is the increasing importance of the industrial element in our national life, and the new rôle that industrialism imposes upon women. According to the last census, one woman out of five is gainfully occupied. Assume that half the women so occupied are still attached to politically represented family units, there remain between two and three millon women who are economically independent, but have not even an indirect voice in the making or the administration of the laws affecting them.

The economic interest of these women is a labor interest. If we include as active representatives of the capital interests not only proprietors but higher officials, superintendents and managers, we have to do with a class almost exclusively masculine. Thus in the shoemaking industry there is one female employee to every two male employees, and one female representative of capital to every hundred and twenty male representatives. In the cotton mills there are three female employees to four male, and one female representative of capital to every three hundred and sixteen males. There would, of course, be no such striking disproportion if we added to the number of active representatives of capital the passive representatives—holders of stocks and bonds. But the immediate industrial conflict is between the active representatives of capital and the employees. And the representatives of capital exert a considerable political influence. They help to elect the sheriff or chief of police; they may stand in close political and personal relations with the judges of the lower courts; their good will is something that factory inspectors and other agents of the state will not lightly forfeit.

We shall gain a clearer view of the consequences of the political nullity of women if we picture to ourselves the conditions prevalent in one of the numerous factory towns employing chiefly women. In such a town there is likely to be a little oligarchy of men who own the mills, most of the land and of the workers' houses, the banks and stores. The political power is shared by this oligarchy and a remnant of the older inhabitants of the town, transformed by unearned increment into a respectable middle class. What the mills pay in wages the storekeeping and landowning part of the oligarchy will try to recover in profits and rent. In such a town there is room only for the docile employee; agitators from outside will find the civil authorities arrayed against them as solidly as though these authorities were a part of the employers' private forces. Such an industrial community is analogous to a Rocky Mountain mining camp, where political power is monopolized by the employers and their middle-class supporters. And if disorder is less common in the female industrial town, it is not because there is less injustice and oppression, but because the women employees feel more helpless than the mining camp peon.

It will be admitted at once that conferring the franchise upon women would strengthen the labor interest in many industrial localities. The administration of the law is largely a local matter and would necessarily be influenced by such extension of the suffrage. What is not so obvious but none the less true, is that the influence of the enfranchised working women would make itself felt in state and national politics also. Women engaged in industry may be depended on to vote more regularly than their sisters of the undifferentiated family units in the country and the urban middle class. The enfranchisement of women was a matter of great concern to the middle-class politicians of Los Angeles in the election of 1911. It was feared that working women would vote more freely than middle-class women, thus improving the chances of the Socialist candidate, Job Harriman. As events turned out, the women of Los Angeles were no more Socialist than the men. But there can be no doubt that it required more effort to induce the middle-class women to go to the polls. And with novelty of the suffrage worn off, we may assume that the proportion of the stay-at-homes will be relatively large among women not industrially employed, as indeed it is among men whose interests are neutral to the issues of a political campaign. Women's suffrage, therefore, may confidently be expected to increase the political weight of the working class.

The entrance of women into industry does not, it is true, create a wholly new economic interest. But it does increase the volume of an existing interest—that of industrial labor—and hence makes desirable such increased political representation as the enfranchisement of women would give. Within the labor interest itself there are two divergent tendencies, the one in the direction of self-help through organization, the other in the direction of general advance through political means. The latter is the tendency of unskilled labor, and it is to this tendency that the interest of women workers naturally attaches itself. The skilled craftsman may well reject all proposals for the institution of authoritative arbitration. Through his organization he can do better by himself than he could through the purest and most impartial industrial tribunal. He may view askance the proposal to fix minimum wages by law. It is a question whether the principle of a level minimum wage would not produce indifference toward the skilled worker's organization. Restrictions upon the hours of labor he feels able to introduce by his own efforts, al-

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though he is willing to utilize a friendly law to this end. With the unskilled laborers—and the women—the case is entirely different. At best their organizations integrate and disintegrate in kaleidoscopic fashion. Their chief hope for a living wage and freedom from discrimination lies in the enactment of appropriate labor laws.

In an industrial state women have an economic interest that does not find expression in the vote of the male family representative. This economic interest is prevailingly a labor interest, but it is not such as to find adequate expression in the male labor vote, since that represents two divergent tendencies, only one of which runs in the direction of woman's industrial interest. The situation is clearly one demanding direct political representation for women. The argument for such representation is precisely the same as that employed to defend the extension of the suffrage to the propertyless male workers in the city, or to the former serfs or slaves in the country. It is an argument that gains force with the progress of industry and the increasing economic independence of women. It is much more cogent as applied to the industrial East than to the agricultural West, and it will not be greatly to the credit of American manhood if it confers the suffrage upon women in the West, where there are as yet no important interests of women differentiated from those of the family unit, and withholds the suffrage in the East, where such interests abound and are certain to become still more important. Women may be denied the suffrage, but they cannot be kept from contributing to the volume of voices that condemn the state as an organization not of all the interests of society, but of a dominant group bent on advancing themselves by fair means or foul. No democratic state can afford wantonly to increase the volume of such opinion.

ALVIN S. JOHNSON.

Working for the Inevitable

WE have always had a certain sympathy with Mrs. Partington of Sidmouth, who in the great storm and tide of 1824 tried to sweep the Atlantic Ocean out of her house with a mop. In the first place, the Atlantic Ocean had no business in her house. A woman's place may be in her home, but the Atlantic Ocean's is outside. As for a mop, what else in an English kitchen would be better for sweeping back the Atlantic? Moreover, do we really know what Mrs. Partington intended by her grandiose sweeping? Perhaps she only wanted exercise. Perhaps with excellent intuition she was seeking in a great emergency to quiet her nerves by performing some customary routine task, by at least seeming to do something.

The anti-suffragists are sometimes likened to Mrs. Partington because they, too, sweep back the sea. Why should they toil to combat the inevitable? Seemingly a good argument; at all events a good epithet. But if it were an argument, it would work both ways. Is it more foolish to sweep back the tide than to sweep it forward? Do we hold our breath to make the sun move, or burn a candle to bring on the dawn? Why, if the political enfranchisement of women is inevitable, should brave women speak daily to hostile audiences, instead of staying at home, at their own tea-tables, waiting for the inevitable to happen?

The answer is simple; it is not that sort of inevitableness. Social developments are dependent upon the human will, and when we ascribe inevitableness to them we merely mean that certain conditions will cause human beings to will certain things. Natural phenomena happen independently of human volition. "People," remarked Mark Twain, "constantly complain about the weather, but nothing is ever done about it." Where, however, something can be done about a thing which is desired, human wills come into play. What we mean when we say that the political enfranchisement of women is inevitable, is simply that an effective majority will come to desire this thing, or will desire other things which will bring the suffrage of women in their train.

Even so, "inevitable" is a large word. After all it is only a quasi-inevitableness which we have in mind, a consequent of certain antecedents of which we are not sure. We might not get suffrage at all if these antecedents were altered, if the world kept at war for a generation or two, or if population overtook the food supply. In such case we should have quite other problems to think of. Inevitableness, used in this loose sense, connotes merely a high degree of probability. We mean that if society continues to develop as it has developed during the last century, it will be inconceivable that women will not wish to take their place beside men in the great affairs of life, and inconceivable that men will not wish it also. The suffrage is but a small part of a vast liberation of two sexes, a breaking down of barriers, and because the greater is bound to happen, the less, which is included in the greater, is also inevitable.

The progress of the last centuries has been in the

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main just such a breaking down of barriers. Repeatedly we have learned to our surprise that obstacles which looked stubborn and formidable were but things of our imagination. The immutable and ordained inequalities between men became rather thin under scientific analysis. So the divine inferiority of women, however dearly this doctrine is cherished by opponents of the suffrage, is likely to undergo a decline. The growing temper of the age is to " let everybody into the game," and this is not only good for the game but also for the players. If in the beginning the women do not play as well as the men, that is no reason for not letting them learn. Let them learn playing. We should not keep them out even if we could, and I do not believe in any case that we could.

For it should be understood that when women demand the vote they are not so much asking for power as for a recognition of a power already possessed. The vote is but the sanction, the official seal, so to speak; already the real sovereignty, the actual power, is there. Women hold too many of the keys of life to be excluded from the ballot. Not only do they come from the same wombs and inherit the same aptitudes, affections and wealth as men, but they have gained their footing in the new industrial world into which they have been so suddenly shoved. They are rapidly gaining the things which lie deeper than the vote, and they will therefore soon have the vote. Men could not withhold the suffrage from women except upon a theory which would run counter to the whole political philosophy of the age. Had we had a century of universal instead of a century of male suffrage, the idea of excluding a sex from the ballot-box would appear so invidious and fantastic that no responsible statesman could be found to advocate it. Because we are so linked with women, emotionally, intellectually, and through common interests, and because woman suffrage and the emancipation of women generally rest on the same foundations as does our whole democratic development, the impetus to the political enfranchisement of women becomes overwhelming. Woman suffrage becomes a link in a chain already forged. In that sense it is " inevitable."

Inevitability of this sort is a thing people will work for. It is not an excuse for doing nothing but an incentive to do more. We all like to be on the winning side. All our political thinking is in harmony with this instinct. We consider many causes absurd merely because they have no present chance of success; many of us do not really begin to fight until we believe that the victory is won. Thus the socialist fights harder if the doom of capitalism seems assured, and the German, Frenchman or Russian, if he believes that victory is foreordained. The expectation of victory is an aid to victory. Upon opponents the doctrine of inevitableness has a correspondingly depressing effect. For defeat means that you have misjudged your age, and only real heroes can fight for a future generation. To fight for a cause that cannot prevail in your time requires a peculiar temperament.

That temperament is not possessed by the ordinary anti-suffragist. She is on the whole a conforming person, a type peculiarly incapable of resistance to immediate environment. I do not of course refer to the common or clay-pigeon variety of anti-suffragist, who performs a valuable social service by being shot to pieces, but to the rather superior variety who has begun to think. Such anti-suffragists are upheld in their pleasantly arduous tasks of retarding progress, by an invincible sense of propriety. In arguing against women's rights, the anti-suffragist has the same feeling of not being politically advanced as has a fashionable woman when she is dressed in this and not in last or next year's style. Her feeling, if not her argument, is that suffrage " is not the right thing." And so in pathetic obedience to a something which she does not understand, she marches out to the attack. But suppose that she gains the impression that suffrage is bound to succeed, that it is " the right thing "!

The doctrine of inevitability need not alarm the suffragist, for it is a comforting and a heartening philosophy, and no one will refuse to fight for a cause which, he is convinced, is bound to win even without him. It is this contagious conviction, this belief that suffrage will win, that makes it win.

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